

# Law Enforcement News

Vol. XXV, No. 517

A publication of John Jay College of Criminal Justice/CUNY

September 15, 1999

## In this issue:

**Around The Nation:** A coast-to-coast roundup of police news. **Pages 2, 3.**

**People & Places:** Order on the court; 60 seconds of fame; no laughing matter; Little Rock legacy. **Page 4.**  
**A fungus among us:** The potential side-effects of a plan to wipe out Florida's pol crop. **Page 5.**

**Corporate support:** High-tech firms help police target cyber-crime. **Page 5.**

**The right to privacy:** Protecting officers by keeping their names out of property records. **Page 5.**

**No mere oversight:** Louisville considers independent civilian review panel. **Page 6.**  
**The cost of secession:** Can a neighborhood afford to pull out over police concerns? **Page 6.**

**They've got crime's number:** Victim survey confirms crime drop. **Page 6.**  
**Jewelry for cons:** Spouse abusers to get electronic bracelets. **Page 6.**

**Take it easy:** Civilians are more lenient than cops in disciplinary matters. **Page 7.**  
**New LAPD watchdog:** Ex-Federal prosecutor is named inspector general. **Page 7.**

**You are what you eat:** NYPD orders cops to watch out for hidden drugs in everyday foods. **Page 7.**

**Open-door policy:** Detroit PD gets aggressive in rooting out corruption. **Page 7.**

**Forum:** Millennium chaos & some thoughts for law enforcement. **Page 8.**

**Digital hand-holding:** Oregon agencies link their data bases. **Page 9.**

**Upcoming Events:** Opportunities for professional development. **Page 11.**

## "We're not gonna take it"

Study dispels stereotype of minorities & tolerance for juvenile misbehavior

A study released recently by the National Institute of Justice delivers a body blow to stereotypes about the tolerance of minority groups for anti-social behavior by young people, finding that it is the social and economic status of a neighborhood, and not its racial or ethnic makeup, that is a key contributor to a community's subculture of violence.

An ongoing research project funded by NIJ, the Project on Human Development in Chicago Neighborhoods, examined the racial and ethnic differences in attitudes toward social deviance in 343 urban communities in Chicago. The resulting study, "Attitudes Toward Crime, Police, and the Law: Individual and Neighborhood Differences," found a significantly lower level of tolerance for anti-social behavior among black and Latino residents than among whites.

"If there is a system of values that tolerates deviance and violence and turns a cynical eye toward the law and agents of the justice system, it is not linked in a simple way to race," said the study. "Neighborhood context — not race — appears to be the crucial factor influencing attitudes and beliefs about crime and the law."

Researchers found that 42 percent of blacks and 47 percent of Latinos thought it "very wrong" to "extremely wrong" for 13-year-olds to smoke

**Socio-economic factors, not race, are key to a community's subculture of violence.**

cigarettes, use marijuana, drink alcohol and get into fist fights. In contrast, only 31 percent of whites felt that strongly on those issues. Minority residents felt the same way even with regard to such behavior by older teenagers. Among the most striking discrepancies was the difference between whites and minorities with respect to fighting. Some 54 percent of blacks and 63 percent of Latinos reported it as "extremely wrong," as compared with 42 percent of whites.

"There seems to be a difference that goes against the grain with regard to attitudes on tolerance of violence," said Dr. Robert J. Sampson, a professor of sociology at the University of Chicago, and the study's lead author. "The subculture of violence and some other criminological theories posit that there is a higher degree of tolerance or support for violence among minorities and we found that is not the case, even controlling for a neighborhood characteristic," he told Law Enforcement News.

But once the level of crime and poverty in a neighborhood are taken into account, there is not much discrepancy in the tolerance levels for social deviance demonstrated by whites and minorities. However, whites were found to have a higher level of tolerance for teen-age anti-social behavior than do blacks and Latinos.

Researchers found that people whose socioeconomic status is low were less tolerant of deviance than those whose status was high. Males tend to be more tolerant than females, and younger residents more accepting than older ones.

In areas marked by poverty and instability, people were found to be more tolerant of deviance, although not of juvenile fighting. Yet at the same time, in a seeming paradox, minority group members in these communities are more intolerant of antisocial behavior. Sampson said the study attempted to unravel that conundrum.

"African Americans are less tolerant of violence, yet they also live in environments that are characterized on average by higher crime rates and more poverty," he said. Their dissatisfaction with police and cynicism toward the legal system is largely a result of living in disadvantaged neighborhoods, Sampson said. "Racial segregation combined with poverty tends to be associated

Continued on Page 10

## Learning to share: Maryland is first to join NIJ tech-info resource network

A technology task force being created by the State of Maryland will serve as part of a U.S. Department of Justice project aimed at pulling together the technological resources of law enforcement agencies nationwide, including DOJ, under the umbrella of a national, criminal justice technology data base.

Paul Kendall, general counsel for the Justice Department's Office of Justice Programs, said that the planned National Integration Resource Center will act as a portal for bringing to the field ideas and strategies from around the country, as well as eliminating re-

dundancies and helping to facilitate the development of integrated criminal justice systems encompassing law enforcement, corrections and the courts.

"The point of all this is that there are just not enough resources, not enough technical assistance, not enough anything to go around to make it all happen," he told Law Enforcement News. "There are not enough resources to duplicate things so we don't want to start from scratch. What we need to do is just bind those really good efforts together and provide examples and information on those to everybody else."

Maryland, which will be the first state to contribute to the integrated system, got involved after officials there attended one of a series of conferences held by OJP last year, which brought together criminal justice participants from 25 states.

According to the office of Lieut. Gov. Kathleen Kennedy Townsend, the Task Force on Public Safety Technology will give all segments of the criminal justice system the ability to share information with each other and with citizens to promote community policing. Police, parole and probation offic-

ers will be able to access each other's files using palm-sized computers; a wireless communication system will also be created to give police the ability to make contact instantly with counterparts in different counties. This will enhance law enforcement's capacity to "positively identify criminals and their wanted status by fingerprint checks from police, parole and probation or correctional vehicles during a legal detention," said a statement from Townsend's office.

In addition, the task force will establish a "Center of Excellence" to bring the best of the nation's criminal justice technologies to the state.

Creating the statewide integrated system may also qualify Maryland for a portion of an estimated \$350 million that the Justice Department has made available for states with comprehensive criminal justice technology plans. One of the task force's goals is to identify Federal, foundation and private sources of funding to implement these strategies. It is not yet known what percentage of the available Federal funds, if any, would be apportioned to Maryland.

In addition to the benefits that such a task force will bring within the state, the OJP's Kendall believes that the Maryland program will serve as a model for other states. "If we're talking about the capability to share information nationally, everyone is going to need to know what standards they're using," he said. "By getting them to model what they've done with the framework of the resource center,

Continued on Page 9

## Building a bridge to the community can begin with a better-handled traffic stop

Within the first several seconds of a traffic stop, motorists expect to be told why they have been pulled over, while police expect to be told the driver's name. And both expect the other to yield.

This was identified as a primary cause of tension between law enforcement and minority motorists by the National Conference for Community and Justice, Western New York Region, and the Law Enforcement and Diversity Team (LEAD), a coalition of police departments and citizens groups in the Erie County area who came together four years ago after a traffic accident caused the town of Cheektowaga to be branded racist by the national press.

As Police Chief Bruce Chamberlin

recalled, the incident began when a young black woman was killed crossing a major highway to get to a shopping mall. The mall's management and the local transit authority, he said, had banned buses from the inner-city area of Buffalo from stopping directly at the shopping center.

"This blew up into a huge, nationwide story," Chamberlin told Law Enforcement News. "The Police Department had nothing to do with it, but we got dragged in because if you have a racist business, then you have a racist city and a racist police department. There were a number of shots taken at the department at the time from Time magazine and few other places."

So Chamberlin called for a meeting

with the National Conference of Christians and Jews, which had conducted diversity training with the department in the past. Together, they tried to come up with strategies for reducing the tension between Buffalo's largely black inner city and the outlying suburbs, which are overwhelmingly white — as are their police departments. Chamberlin rounded up a number of police chiefs from the surrounding area, while the Rev. Jeff Carter, a black minister who became his partner in the endeavor, brought members of the minority community to participate in focus groups.

Not surprisingly, the main rub was found to be the car stop. "We came up with a whole bunch of things, but the

No. 1 thing is that person who is stopped, the first thing they want to know is why were they stopped," said Chamberlin. "The police officer, the first thing he or she wants to know is who you are. The police officer always feels that they are operating in the dark."

Based on the focus groups and discussions, the coalition created a program for use by both community groups and police officers. Called "Law Enforcement and Diversity in the Community: Building Bridges," it consists of a 20-minute video, a curriculum, hand-outs and a 1½-hour discussion group led by three members of the LEAD team that teaches both sides how

Continued on Page 9

# Around the Nation

Northeast



**CONNECTICUT** — In a recent statewide poll of 510 people, more than half said prisons should make the rehabilitation of inmates their top priority. Twenty-six percent said punishment should still be the primary emphasis.

Gov. John Rowland said he would issue an executive order banning state employees from carrying guns and other dangerous weapons to work. The move is a response to an incident in March 1998 in which accountant Matthew Beck shot and killed four executives at state lottery headquarters before killing himself.

Two black special deputy sheriffs will settle their discrimination case against the Hartford County Sheriff's Department for \$50,000. The Federal lawsuit filed by Michael A. Ayers and Charles Daniels had claimed that sheriff's employees held a mock slave auction of inmates in the courthouse jail.

The state Supreme Court ruled Aug. 9 that probation officers can order sex offenders to register even if their crimes are not mentioned in the Megan's Law list. The case involved Donald Misiorowski, who pleaded guilty to sexual assault and public indecency in 1997, and received a suspended one-year jail sentence and three years on probation.

**DISTRICT OF COLUMBIA** — Taxpayers here will have to pay for preparations police made for a neo-Nazi parade that was canceled at the last minute.

Officials had proposed suing the American National Party for \$1 million, but the suit was deemed a bad idea by city lawyers.

In what officials hope will become a national model, prosecutors are joining police on the heat as part of a community prosecution program. Attorneys will patrol high-crime areas with police and keep an eye on youth violence in schools.

**MARYLAND** — The Baltimore city solicitor has proposed the hiring of Gary C. May, a former chief lawyer for the city Police Department who was criticized for discriminating against black officers. Under May's leadership, blacks were more than twice as likely to be fired as their white colleagues, even though they made up less than 30 percent of the department.

**MASSACHUSETTS** — State Senator Cynthia Creem has introduced a bill that would establish a witness protection program, including armed escorts, alternative housing and living expenses for witnesses who fear for their lives.

The number of special State Police patrols in high-crime areas across the state has been slashed due to a shortage in personnel. There are now 2,171 personnel, down from 2,416 four years ago. Five teams serving in high-accident and high-crime areas have been disbanded and returned to general barracks duty. A new crop of 100 troopers is expected to ease the manpower shortage when they complete their training in November.

A bill before the Legislature would suspend the unemployment insurance and professional licenses of those with outstanding warrants. The state now has a backlog of over 300,000 outstanding warrants.

**NEW HAMPSHIRE** — An Aug. 1 fire at the Feminist Health Center of Portsmouth was intentionally set. Federal and state investigators have concluded. No injuries were reported at the abortion clinic blaze.

**NEW JERSEY** — Anthony F. Ambrose III was sworn in Aug. 12 as Newark's Chief of Police, the city's No. 2 police post. Former chief Thomas O'Reilly retired after more than 43 years on the city force. Ambrose, 40, who joined the department in 1986, is believed to be the youngest chief in the city's history.

Harrington Park officer Gary Stayback, 52, was charged July 15 with sexually abusing two more girls seven years ago.

The 29-year veteran is now charged with committing nine sex crimes against five girls since early 1992. Stayback was suspended on July 9.

Bayonne Capt. Michael Hurley, a 35-year veteran with a previously unblemished record, has been slapped with administrative charges that he delivered newspapers while on duty and delivered pizzas while on sick leave. Hurley faces a departmental hearing that could cost him his job. The captain allegedly delivered two newspapers from the trunk of his marked police cruiser during his midnight shift. Police sources said his patrol car was found filled with the newspapers, but he rescinded his resignation and then went on sick leave, at which time he was accused of delivering the pizzas.

A suspended Burlington County jail guard pleaded guilty on Aug. 2 to charges that he raped four women between 1996 and 1998. Wendell P. Bibb Jr., 27, could face 10 years in state prison. He was said to have targeted Camden prostitutes, abandoning them in the woods after assaulting them.

A 1998 undercover sting operation has culminated in the Aug. 9 guilty plea by Newark police Sgt. John Zajkowski to charges that he stole a gun after it had been claimed by the city's guns-buyback program. Lieut. Robert Russo, 40, pleaded guilty of stealing \$50 from the same program. Three other officers still face charges stemming from the sting operation.

Sgt. Rosanne Manghisi filed a job-discrimination suit against the New Jersey State Police on Aug. 3, in which she alleges that another sergeant's transfer to a position above her effectively blocked her promotion. After she complained to superiors, she said, the agency retaliated by charging her with making false statements and disobeying a lawful order.

**NEW YORK** — Citing a 40-percent drop in gun seizures, New York City Police Commissioner Howard Safir said Aug. 2 that the department's Street Crime Unit could put some of its members back into plainclothes. The new policy came months after the entire unit was ordered to work in uniforms, following the public outcry over the fatal shooting of Amadou Diallo, an unarmed man, by four members of that unit. Police said that plainclothes officers will work chiefly in operations where surveillance is required.

In what was thought to be the largest drug bust ever made by local law enforcement in New York City, police seized 1,566 pounds of cocaine in a Brooklyn warehouse on Aug. 19. The warehouse owner and two workers were arrested. The drugs were said to have been shipped from Colombia and transported in a tractor-trailer with Oklahoma license plates.

The president of the New York City Patrolmen's Benevolent Association, Patrick Lynch, said the NYPD is rewarding cops with promotions without first consulting the union, and has urged his members to turn down any such promotions as an act of union solidarity. The department is planning to promote some 1,500 officers to the rank of detective specialist in order to keep good cops on the force and attract more

minority officers.

A Bronx grand jury on Aug. 6 charged a former New York City housing police officer with stealing more than \$50,000 from the city's retirement system and failing to pay personal income and other taxes on the illegally obtained earnings. Donald Owen, 38, who retired in 1992, allegedly concealed additional earnings from a security business that would have reduced his disability pension payments.

New York City police officers Michael Mikowski, Demetrio Figueredo, Timothy Monahan and Matthew Paules were cleared last month of charges that they used excessive force when arresting a suspected burglar outside his ex-girlfriend's house in Queens. The officers said that Joshua Celona, a high-school senior, assaulted them and resisted arrest when they asked that he awaken his ex-girlfriend's family so that they could confirm that he was not a burglar. Celona was found to have been drinking and smoking marijuana before the incident.

Tribal police at the St. Regis Mohawk Reservation along the Canadian border on Aug. 14 arrested Kenneth Lazore, a fugitive in a gun-running conspiracy, and turned him over to Federal authorities. Lazore, who in 1994 pleaded guilty to converting 250 assault weapons and pistols into machine guns, had never reported to prison and was living on the Canadian side of the reservation.

A new state law will hold those who make false bomb threats liable for up to \$10,000 in restitution. The money will go to emergency service providers who respond to the false alarms.

After posting 14 newspaper photographs of rioters at the Woodstock music festival on a web site, State Police removed them on Aug. 6 following protests from news organizations claiming copyright violations. Police said they removed the pictures because they had served their purpose, which was to help them identify possible suspects in the looting that flared up at the event in Rome in July. None of the pictures led to an arrest.

Sandra Marsh, the former NYPD deputy commissioner for equal employment opportunity filed a Federal lawsuit on Aug. 3, charging that she was forced from her job for refusing to revise a May 1998 report. The report concluded that Assistant Chief Eugene Devlin, the Staten Island borough commander, retaliated against an officer by arranging a change in shifts. Police had denied any wrongdoing in the case.

**RHODE ISLAND** — Pawtucket police officers staged a sick-out over the weekend of July 31 to protest the city's refusal to pay officers an annual \$1,000 clothing allowance.

Southeast



**ALABAMA** — Following similar developments in other states, state Representative Jack Page wants to bar cities and counties from suing gun manufacturers over violent crimes. He

intends to introduce a bill to that effect in the 2000 legislative session.

**ARKANSAS** — According to State Police Director Tom Mars, troopers are saving more lives by targeting drunken drivers rather than speeders. State police wrote 106,371 speeding tickets last year, and made 6,509 DWI arrests. But this past July, by targeting drunken drivers, police made 888 DWI arrests, up from 541 during the same month in 1998.

Independence County Judge David Wyatt said the county should pay \$140 in travel expenses and meals incurred by county Sheriff Ron Webb during his trial and sentencing on a sex-related civil rights charge. Webb, 51, who was sentenced in July, is appealing his conviction and five-month prison term.

Two Pulaski County sheriff's lieutenants have been awarded almost \$600,000 in a defamation case. A Federal jury unanimously found on Aug. 9 that a California filmmaker, Patrick Matrisciana, defamed lieutenants Jay Campbell, 38, and Kirk Lane, 37, when he accused them and four other law enforcement officials in a 1996 film of murdering two Saline County boys and covering up the crime. Matrisciana had argued that the film was protected as free speech, but jurors found him guilty of libel.

**FLORIDA** — Some 641 non-citizen Cubans with criminal records are being held in indefinite detention in South Florida, but immigration officials said a new policy will ensure that all such cases begin to receive regular reviews. A 1996 law mandates detention and deportation of non-citizen criminals who complete sentences for certain crimes, but many countries will not issue travel documents for their citizens, forcing them to remain in U.S. jails indefinitely. By the end of July, the Immigration and Naturalization Service had reviewed 210 South Florida cases, recommending 78 detainees for release.

**LOUISIANA** — New Orleans police will investigate an incident in which one of its plainclothes officers allegedly broke the leg of Hartnel "Sky High" Henry, an emcee of the reggae group Ziggy Marley and the Melody Makers, after mistaking him for a ticket scalper on Aug. 1. Henry said an officer, identified as Jack Hoffman, seized him outside of a concert venue and dragged him down a side street before slamming him against a car.

**MISSISSIPPI** — Jackson County schools may not be able to enforce a school uniform policy this fall. The American Civil Liberties Union, along with a group of local parents, has filed a Federal lawsuit to block the dress code, which was imposed in an effort to improve discipline and reduce peer pressure.

**NORTH CAROLINA** — A task force conducting a three-month study of school safety has called for a statewide hot line that would allow students to report violence or threats. It also suggested that more parental involvement was needed, and said safety summits should be held in order to further discuss the issue at local schools.

Violence is on the decline in uptown Charlotte, police say, despite the recent

**CHIEFS • MANAGERS  
• OFFICERS •**

**ADVANCE POLICING IN YOUR  
DEPARTMENT THROUGH  
COLLEGE-EDUCATED  
OFFICERS**

**ENROLL OFFICERS WITH  
BACCALAUREATE DEGREES  
AND FORM A CHAPTER OF THE**

**AMERICAN POLICE  
ASSOCIATION**

5200 Leeward Lane, Suite 102, Alexandria, VA 22315  
Tel. (703) 971-7935 FAX (703) 922-2768

# Around the Nation

stabbing death of Diane Wilson, 51, in the busy center-city district. Reported crimes in the district have declined from 375 in 1996 to 311 in 1998. The violent-crime rate in Mecklenburg County was found to be 46 crimes per 1,000 people between 1996 and 1998. Police arrested a 16-year-old suspect in Wilson's death.

A golfer at a Cherryville golf course says he was attacked by an off-duty Gaston County police officer on Aug. 2. Capt. Anthony Robinson, 45, was charged with assault with a deadly weapon and placed on paid administrative leave. Thomas Boone Jr., 32, said Robinson drove up in a golf cart and accused him of stealing a golf ball. Robinson then allegedly hit Boone in the chest with a golf club and choked him with the club by holding it across his neck.

**VIRGINIA** — Under a unusual arrangement, the Richmond Police Department's used guns will be resold, but only to other law enforcement officers. The department recently received a large Federal grant to replace its weapons, and will upgrade from 9mm. to Sig Sauer .357 semiautomatics. A deal with Sig Arms Inc. was struck in order to ensure that the old weapons, which will be traded in to save money, will not end up in the hands of criminals.



## Midwest

that police may videotape statements without the knowledge of the suspects.

The state's "15-20-Life" policy has now been signed into law, imposing an extra 15 years in prison on those convicted of using guns in certain violent crimes, even if they are just carrying the weapons in those crimes. Firing the gun will add 20 years to the sentence, while seriously injuring someone will incur a sentence of 25 years to life.

A diverse coalition of public interest organizations has demanded that the Chicago Police Department open or reopen cases involving 38 incidents of alleged police torture. Many of the incidents, which have taken place over the last 20 years, involve former police Comdr. Jon Burge, who was fired in 1993 after he tortured a suspect in a double-murder investigation. More than 30 cases of torture were never investigated, according to a letter drafted by the group. Among the cases was that of Aaron Patterson, a death-row inmate who said police beat a confession out of him.

**MICHIGAN** — State troopers will be recording the race of all drivers stopped by police, as well as noting the race of the trooper on citations. Officials hope the move will refute claims of racial profiling.

The state Court of Appeals has ordered an Ingham County court to rehear at least part of the reverse-discrimination case of state Trooper Michael Herendeen, who said affirmative action thwarted his promotion to sergeant. The county court had earlier dismissed the claim by Herendeen, who is white.

A man suspected of raping two girls grabbed a sheriff's deputy's gun and shot at officers on July 26, successfully evading arrest. An extensive search of the Thetford Township area turned up no sign of the suspect.

**WEST VIRGINIA** — A new State Police policy is cutting down on the incidence of high-speed chases. Troopers must now notify a dispatcher immediately when a chase begins, at which time a backup cruiser is dispatched and supervising officers are alerted. The officers may cancel the chase at any point during the pursuit.

**WISCONSIN** — A summertime crackdown on cruising and loitering snagged scores of vehicles and resulted in the arrests of 139 people in Milwaukee. Police Chief Arthur Jones said loud music and loitering by young people were becoming a nuisance.



## Plains States

**KANSAS** — Under a state law that took effect July 1, teen-agers who take guns or drugs to school will lose their driver's licenses for a year, in addition to other punishments. Some 33 students in 304 districts were caught with guns last year, down from 66 the previous year.

**MINNESOTA** — An advocacy group for prostitutes and battered women has opened a "john" school for men arrested

for patronizing prostitutes. The Offenders Prostitution Program will charge men \$200 to hear about the impact of prostitution on individuals and communities. Men attending the course will have their first offense removed from their records, while their fees will go toward helping prostitutes get off the street.

Squad cars in Bloomington, Eden Prairie, Richfield, Eagan and Rosemount will now have standardized on-board computer and communications systems. Some of the departments received Federal funding through the Justice Department's Cops More grant program. The cars will employ the FieldWorks 2000 Mobile Data Server, specifically designed for on-board vehicle use.

**MISSOURI** — An \$800 vest will help ensure the safety of four dogs in the Springfield Police Department's K-9 unit. The protective gear was acquired with the help of an anonymous donor who had seen the vest mentioned on a television show.

**ST. LOUIS** — Mayor Clarence Harmon will ask the state Legislature to repeal a 14-year-old ban that prevents local governments from having tougher gun-control laws than those enacted by the state. Harmon said one tougher regulation he would like to see is a ban on weapons that use high-velocity armor-piercing ammunition. The National Rifle Association has vowed to lobby against the effort.

A Fenton man who smashed a windshield with a golf club became the first to be cited under a new St. Louis County road-rage law. The law, which took effect on July 9, prohibits intentionally harassing another motorist. On the same day that the law took effect, a man smashed the windshield at the parking lot of St. Anthony's Medical Center, after having tailgated his victim for 15 miles. The man faces a fine of up to \$1,000 and a year in jail.

**NORTH DAKOTA** — The state Supreme Court on Aug. 4 upheld a 1996 law that allows sexual predators to be confined indefinitely for therapy. An appeal had argued that locking up suspected sexual predators for psychiatric care amounted to punishing the offender twice for the same crime.



## Southwest

**ARIZONA** — Bootleggers on the Navajo reservation may now get multiple fines and jail sentences if they're charged with more than one offense. The new policy comes after the Navajo Nation Council recently undertook the first major revision of the nation's Criminal Code in almost 30 years.

**COLORADO** — For the third year in a row, drunken driving arrests increased in Colorado, according to the state Department of Transportation. In 1998, 37,237 drivers were arrested for alcohol-related offenses, up from 36,726 in 1997 and 36,398 the year before.

Pry marks were found July 29 on an

exterior security door of the Denver police crime lab, indicating an attempted burglary, police said. None of the lab's work areas was believed to have been entered during the incident, and a second security door was not harmed, said Capt. Gary Graham, who heads the lab.

The second Denver metro law enforcement officer to die during training in two weeks succumbed July 27 during a routine field training exercise. Adams County sheriff's deputy Robert Pollock, 57, collapsed and stopped breathing after he told five other trainees that he wasn't feeling well. The other death came when Jefferson County sheriff's recruit Joel E. Hunter, 35, suffered a heart attack after a training run on July 14. Hunter, who was taking over-the-counter weight-loss medication, died during his third day of training.

Denver police Lieut. Dennis Cribari was arrested July 28 on suspicion of sexual assault on a child. Arvada police said that Cribari had been on medical leave for about a month when he was accused of sexually assaulting a young girl. Cribari, a 25-year veteran, headed the department's public information unit in 1997 and 1998.

**OKLAHOMA** — Protesters last month angrily demanded to know why Wilburton Police Officer Tom Moseley shot and killed Floyd Wayne Houston, 22, on July 31. Houston allegedly threatened Moseley with a brick after a traffic stop. The officer, who said he had smelled marijuana in the car, ordered Houston out of the vehicle. After running into a wooded area, the man apparently menaced the officer with a brick and was shot in the abdomen and chest.

**TEXAS** — Off-duty Tomball Police Officer Danny Arriago fatally shot a man who was brandishing what authorities said was a loaded assault rifle at the entrance to the Tomball Regional Hospital. John Mooney, 25, was killed in the incident.

Converse resident Hazel Tolliver, 18, was sentenced to 45 years in prison after she killed her newborn son by putting him in a plastic bag and leaving him in her bedroom closet. Tolliver had said that she conceived the boy during a rape.

**UTAH** — A \$2-million Federal lawsuit has been filed alleging that Salt Lake City Police Officer Stephen Huffaker broke the nose and loosened six teeth of 80-year-old Bruno Romano. The man claims that the officer sparked an argument when he accused Romano of being drunk.

DNA evidence led Salt Lake City authorities to arrest Robert Overstreet Aug. 2 in the June 28 death of Danielle Omer and the sexual assault of a second woman two days earlier. Overstreet, 34, is a convicted sex offender who had registered his DNA as part of a national data base. Lake County Sheriff Aaron Kennard has urged that the state implement a program that would collect DNA samples from every Utah arrestee.

Layne Meacham, a Salt Lake City social worker, will drop his suit against the state as part of a \$35,000 settlement. Meacham claimed that he was inappropri-

priately listed in the state's database of child abusers after a girl wrongly accused him of threatening her with a gun and assaulting her.



**CALIFORNIA** — A slight decline brought the number of hate crime incidents in the state to 1,750 last year, according to the state Department of Justice. Attorney General Bill Lockyer said he will create a state Civil Rights Commission on Hate Crimes, and will deploy his agency's resources when hate crimes involve serious injury, death or significant destruction of property.

A 22-year-old burglar suspect stumbled into a prickly cactus plant, then impaled himself on a wrought-iron fence before being apprehended on Aug. 1. He had broken into the home of Los Angeles Police Officer Luis Gasca, who fired at the burglar when he saw a weapon in the man's hand. The suspect suffered scrapes and cuts.

The Los Angeles Police Department is scuttling its South Bureau homicide unit, which was formed 10 years ago when the area had the highest homicide rate in the country. The murder rate in the area is down from 400 per year in the early 1990s to 150 last year, with a clearance rate of 70 percent. Detectives will be reassigned to neighborhood stations.

The San Francisco Police Department has announced plans to upgrade its automated fingerprint identification system. The department will spend \$2.7 million to expand the fingerprint database, streamline record-keeping and identify criminals more accurately. The system, which now holds 375,000 records, will have a capacity for 600,000 records and will process 350 matching inquiries per day.

A juvenile burglary conviction cannot be counted as a strike under the state's "three strikes" sentencing law, the California Supreme Court ruled on July 29. The court threw out Edwin Garcia's eight-year prison term, which was doubled because he was convicted in juvenile court for burglarizing a home.

**WASHINGTON** — The State Patrol is adding 10 "non-traditional vehicles" to help crack down on aggressive driving. The vehicles will include lake taxicabs, sport-utility vehicles, and other four-wheelers that do not resemble the standard Crown Victoria cruisers. Similar programs in Massachusetts, Colorado and Maryland have proven successful in spotting patterns of aggressive driving.

**OREGON** — A new crop of 11 police cadets here has become the fifth class to graduate under a U.S. Justice Department program to recruit and train college graduates to serve as community police officers. The Oregon Office of the Police Corps is a competitive college scholarship program for students who agree to work in a state or local police force for at least four years. Some 24 other states are involved in the Dol program.

A rash of killings in the Englewood section of Chicago has focused attention on the neighborhood's 600 abandoned buildings. The killings of 11 women and three sexual assaults in the area have been linked by police to four different men, and at least one killer has scouted derelict buildings by day and taken his victims to them after dark. Englewood Police District Comdr. Maurice Ford has ordered officers to compile a block-by-block inventory of the buildings, noting condition, ease of entry and hazards. Almost 60 of Englewood's buildings are slated for "fast-track" demolition, but not all of the empty buildings meet the legal standards for demolition, city officials said.

Illinois police are being urged to videotape confessions and interrogations of suspects, in order to make the judicial system more fair. Attorney General Jim Ryan also wants to change state law so

# People & Places

## Hooping it up

If his playing on the basketball court can keep at least some adolescents from winding up in criminal court, then Illinois State Trooper John Paul Merrifield, a safety education officer, will just have to keep making jump shots with the Harlem All Stars, a team of comedic hoopsters with an anti-drug message.

The 6-foot-6 Merrifield, 40, was a counselor for children and teenagers at a Houston psychiatric hospital before entering law enforcement. A native of Greenville, he wanted to return to his home state and the State Police was the way to do it. "My uncle retired from the Illinois State Police, so it's kind of in my family," he told The St. Louis Post-Dispatch. "I thought about it for a long time."

After graduating from Missouri Southern University in Joplin with a degree in sociology, Merrifield began playing professional basketball in Europe. He then hooked up with Marques Haynes and his Harlem Magicians, playing USO shows at military bases in Alaska, and toured Germany and Africa. "I've been pretty blessed to be able to travel all over the world," said Merrifield.

Since returning to Illinois, Merrifield has played with the Harlem All Stars, a team owned by his wife, Michelle. The team, which Merrifield described as a spinoff of the legendary Harlem Globetrotters, plays at charity events and fund-raisers, visiting local schools and talking to the students about drugs. "We don't play the same

team every night," he said. "It's for fun. It's a fun show."

Merrifield believes it is about educating children, talking to them and helping them choose positive role models. "You don't have to know anything about basketball," he said. "You come out and see one of these games and you'll leave with a smile on your face."

The Harlem All Stars also play at the Violence Prevention Sports Camp, which is sponsored by local law enforcement agencies, at which a group of officers will mentor three children each for a day, Merrifield said.

## Image makers

Unless Hollywood beckons, Clanett Boone and Mary Ann Miller, two of Baltimore's finest, have no plans to quit their day jobs any time soon. The officers have become local heroes ever since a public service advertisement they started in this year proved a big hit with both the community and city officials.

Boone and Miller, who had to give up their undercover work, are not to sad about the change in assignments. An 11-year veteran of the force, Miller, 34, said she was glad to give up the demanding shifts she worked as a member of a unit that collects and traces guns. Boone, who has been on the force for 19 years, said he would love to leave police work behind for a shot at acting professionally.

"I would love for something to come out of this," he said. "If I get that right phone call, I'm out of here. They treated you like you were a star. It was the most fun I've ever had."

The 60-second spot features the officers as uniformed beat cops. They ask a civilian, played by an actor, if he would like to spend the day teamed up with the officers as they face a variety of typical public-safety dilemmas. Dressed in blues, the civilian faces a dog that guards a home, chases a suspect down an alley, writes a ticket, delivers a baby, and handles a domestic dispute.

When asked to enter a crime scene and accost an armed robber, the civilian begs off the job. "I quit," he says. "How would you like it if we quit?" asks Miller. "I wouldn't," he says.

The whole commercial was shot as if Boone and Miller were on an actual call. The sweat on their foreheads was real, said the 45-year-old Boone, and during the domestic dispute, they received real bruises. "Those actors were serious," he told The Baltimore Sun. "Even the dog was an actor."

Miller and Boone were chosen out of 40 officers who were called to headquarters for an audition they knew nothing about. Handled scripts and told to act, the two fell right into their roles. "They were an incredible find," said Donna Slaughter, the commercial's senior supervising producer. "We could not have hired actors that would have done a better job," she said.

The "Cop for a Day" ads have made celebrities of the officers. Its frequent appearances on the air have made it impossible for Miller or Boone to travel anywhere in Baltimore without being asked for an autograph or teased by colleagues about their exposure.

"What I really got out of this was recognition and notoriety," said Miller.

## Mission accomplished

Little Rock chief steps down, leaving behind a better agency

### Caudell's legacy runs the gamut from technology to discipline to policing philosophy.

pioneer the approach within the agency. "A chief here in Little Rock could have either gone with it or not gone with it," said Walker.

Caudell, 51, was an outsider when he came on board in 1988, having been serving as an assistant chief in the Dallas Police Department. He replaced Jess "Doc" Hale, who resigned while under investigation on a theft charge. One of Caudell's first acts was to advance the concept of community policing within the department.

"Lou brought me in to do a presentation to his lieutenants and captains, and it was almost a battle from the very beginning," recalled Jeffrey T. Walker, a criminal justice professor at the University of Arkansas at Little Rock. "Some of them didn't want to hear it and didn't want to have anything to do with it," he told The Arkansas Democrat-Gazette.

In addition to deploying officers on foot, horseback and bicycle in high-crime areas, Caudell wanted to train officers in community policing techniques. His proposal exposed a rift in the department between those who favored a more traditional type of policing and those like Caudell, who sought to

"The whole role of technology is to be able to provide the officers more recourse and make them more efficient at what they're doing," said Walker.

Caudell increased the size of the department by approximately 200 officers, many of them African Americans or women. During his 11-year tenure, the number of women on

the force rose from 27 to 92, while the number of black officers grew from 42 to 121. Cultural diversity training, which had been non-existent, was another change instituted by Caudell, with recruits now receiving 24 hours of training in the subject.

But Caudell would not have been able to make these changes had he not had the support of city officials. Some 34 recommendations he made during his first six months as Chief have all been implemented. In an interview before announcing his retirement, Caudell said: "I've worked for three city managers now, and every one of them has been an excellent boss. They've treated me more fairly than I deserve. All you have to do is look at our budget to know that."

During Caudell's administration, the department's share of the city's budget has grown from 25 percent to nearly 40 percent.

There have also been important policy changes instituted during the Chief's tenure. The LRPD no longer allows officers to shoot fleeing suspects. Deadly force may only be used to protect an officer's own life or the lives of innocent people. Supervisors may terminate pursuits by officers if they believe bystanders will be injured. And the new policies are taken seriously. During his tenure, Caudell fired nearly 40 officers for violating department policies.

"The future leaders of the department were hired and trained in a department run by Chief Caudell," said Walker. "This is his real legacy to the department."

Wong said that when the hearing officer, who was a member of former Corrections Commissioner William H. Fauver's staff, reversed the two-week suspension after concluding that management had failed to properly handle the hearing, "a message was sent to the correctional officers that they could act with impunity."

Lockley believes that the state's inaction left him with no choice but to pursue his claim through the court system. The hostility and abuse by Turner continues to this day, he told Law Enforcement News. The two have been forced to work together until Turner is transferred in September to another institution, he said. Lockley said he has had to file another discrimination complaint internally as a result of the continuing harassment.

Although a finding of probable cause was rendered after an investigation into Lockley's claim, the state Department of Corrections failed to take prompt action to stop the escalating harassment, said the attorneys. Turner, along with Lockley's other harassers, were never counseled, reprimanded or suspended, they said. A request by Mid State Superintendent Robert Barker to have Turner transferred to another facility was denied. Moreover, the state mishandled its attempt to suspend Turner for two weeks, failing to call witnesses at her disciplinary hearing.

"The Department of Corrections had a real problem dealing with the situation," he said. "That's where the willful indifference comes in, with the punitive damages. This is a new and different situation and I believe it has to be dealt with in a realistic manner."

"To say that only women can be sexually harassed is totally crazy," said Lockley. "I believe everybody has to catch up with the times. Women are in the workplace now and men and women having to work with each other, there have to be adjustments."

### Law Enforcement News

Founded 1975.  
A publication of John Jay College of Criminal Justice,  
City University of New York.  
Gerald W. Lynch, President

Marie Simonetti Rosen  
Publisher

Peter C. Dodenhoff  
Editor/Associate Publisher

Jennifer Nislow  
Associate Editor

Mary Mele  
Subscriptions

Lisa Leslie  
Editorial Assistant

Correspondents: Hugh J.B. Cassidy, Jack Dowling, Tom Gincholff, T.L. Tyler, Ron Van Raalte

Law Enforcement News is © 1999 and published twice monthly (once monthly during July and August) by LEN Inc. and John Jay College of Criminal Justice, 555 West 57th Street, New York, NY 10019. Telephone: (212) 237-8442 Fax: (212) 237-8486. Subscription rates \$22 per year (22 issues). Advertising rates available upon request.

Requests for permission to reprint any portion of Law Enforcement News in any form should be addressed to Marie Simonetti Rosen, Publisher. ISSN 0364-1724. Law Enforcement News is available in microform from University Microfilms Inc., 300 North Zeeb Road, Dept. PR, Ann Arbor, MI 48106

## The last laugh

Supervisors at New Jersey's Mid State Correctional Facility in Wrightstown laughed when corrections officer Robert L. Lockley Jr. complained about the unwanted sexual advances made toward him by a female co-worker. But Lockley is the one having the last laugh, after winning a \$3.7-million judgment against the state in one of the few cases in the nation to address discrimination against men by women in the workplace.

# A fungus among us

## A new plan to wipe out domestic pot crops may be a dangerous Trojan horse

In theory, the use of a soil-borne fungus to eradicate Florida's marijuana crop sounds like a workable plan. But environmentalists are urging state and drug enforcement officials to proceed with caution when using a substance that, given Florida's tropical climate, could potentially affect a variety of agricultural crops.

The fungus called *Fusarium oxysporum* was engineered specifically to attack plants like marijuana, but is otherwise harmless, according to the Montana company that developed it. "Is it safe and does it work?" asked Jim McDonough, head of Florida's Office of Drug Control. "I've heard some of the top scientists in the country say, 'Yes.'"

Some 47 percent of all marijuana seized in the United States is taken in Florida, McDonough told The New York Times. Much of that is homegrown, he added. In 1992, drug agents destroyed more than 240,000 plants — greater than twice the amount usually destroyed in most years.

But some scientists are concerned that Florida's constant heat and humidity could cause the bioherbicide to mutate and cause disease in both crops and wild plants. Other supposedly harmless non-native plants that have been introduced there in the past century have run wild, irrevocably altering the state's landscape with their unchecked growth. Kudzu, a Chinese vine brought over in the 1920's to prevent soil erosion, has swallowed acres of roadside in Florida with its growth of one

## Could Florida's climate mutate a marijuana-killing fungus?

foot a day. Another transplant, the melaleuca tree, has infested hundreds of thousands of acres after being planted decades ago to help drain the Everglades because of its ability to suck up water.

"I personally do not like the idea of messing with mother nature," said Bill Graves, a senior biologist at the University of Florida Research Center in Homestead. "I believe that if this fungus is unleashed for this kind of problem, it's going to create its own problems. If it isn't executed effectively, it's going to target and kill rare and endangered plants," he told The Times.

In Peru, according to The Miami Herald, angry farmers recently accused the United States of using a soil fungus to kill coca in the Upper Huallaga Valley, which they charge has spread to other food crops, including yucca, tangerine and banana. American officials have denied the charges, although they acknowledge using \$14 million on research to develop biological agents to use against poppy, coca and marijuana.

According to David Struhs, Secretary of the Florida Depart-

ment of Environmental Protection, the spread of the *F. oxysporum* fungus is difficult to control, if not impossible. In a letter to McDonough dated April 6, 1999, Struhs said that mutated fungi could cause disease among the state's crops of tomatoes, peppers, flowers, corn and vines. The fungus is generally considered a pest by farmers, he wrote, not a pesticide.

"Fusarium species are more active in warm soils and can stay resident in the soil for years," Struhs wrote. "Their longevity and enhanced activity under Florida conditions are of concern, as this could lead to an increased risk of mutagenicity."

In light of these fears, officials have agreed to quarantine testing of the fungus at the same facility outside Gainesville used to study citrus canker, a dangerous plant disease that has wreaked havoc on whole orchards.

"When you deal with science, you deal with the cost of advancing and what is the cost of not advancing," said McDonough, who served as Director of Strategy for the White House Office of National Drug Control Policy. McDonough hopes to obtain part of a \$23-million Congressional allocation for research in eradicating plants like marijuana. He also has a powerful ally in Representative Bill McCollum a Republican from Longwood, Fla. "With prudence and with care, you make your choices," said McDonough.

### Public-private partnership:

## High-tech firms aid police in cyber-crime

Pilferage, heists, industrial espionage and piracy cost the nation's most powerful high-tech companies some \$3 billion last year. The response of these corporate giants? Subsidize budget-hungry local police departments to go after cyber-thieves with the same gusto usually reserved for violent criminals.

However, the practice is not earning universal applause, with concerns being raised in some corners of the law enforcement community that companies such as Motorola, Intel, and Dell Computer are buying justice and that some police departments are skirting an ethical line.

In Hillsboro, Ore., home of Intel, the Police Department spends just a fraction of its \$9.2-million annual budget

on a seven-person computer crime team. The \$100,000 shortfall is made up by the microchip firm — the state's largest private employer — which pays the salary of one officer, and helps pay for the unit's offices, computer workstations, faxes and telephones, according to a 1996 memorandum of understanding obtained by The Los Angeles Times.

Corporate largess has also paid for units in Austin, Tex., and in Sacramento County, Calif., in the heart of Silicon Valley. When armed robberies caused losses for high-tech firms during the early 1990s, companies including IBM and Dell, Applied Micro Devices, National Instruments and Motorola created the Austin Metro High Tech Founda-

tion. Annual contributions of \$10,000 per company are used to train investigators and pay for travel and expenses for the Austin Police Department's cyber-team. The money is distributed through the Austin Community Foundation, a nonprofit group, due to state restrictions on direct corporate grants to specific police units.

Members of the Sacramento Valley Hi-Tech Task Force, who were drawn from 16 law enforcement agencies in the area to form the unit in 1995, traveled nationwide to serve search warrants, arrest suspects and confiscate evidence at company expense while investigating a case for Hewlett-Packard. The evidence gathered, in part, helped the firm to resolve a civil fraud suit it launched before Federal criminal charges could be brought against a San Diego company believed to be linked to a \$500,000 scheme. Hewlett-Packard ultimately obtained a \$900,000 stipulated judgment in its favor.

"This may not be the ideal way for us to do business, but at least we're trying to do something about these crimes," said Sgt. Tom Robinson, who heads the Sacramento unit. "Without us, the criminals run rampant and impact everyone - the companies and the community," he told The Times.

Cyber-unit officers do not feel they are being compromised by the companies' financial support. Said Sacramento County Sheriff's Sgt. Michael Tsuchida: "I'll eat your dinner, sleep in your hotel and still arrest you if you're breaking the law."

Still, others in law enforcement are unconvinced, questioning the obligation that department's might feel toward their corporate benefactors.

"When companies are directly paying for travel, investigations or salaries, I think that's a very dangerous line that quickly crosses into a conflict of interest," former FBI agent Joe Chiaramonte told The Times. Chiaramonte is president of the San Jose chapter of the High Technology Crime Investigation Association, a trade group.

It does raise ethical concerns when private companies begin to pay for ser-

vices from a public agency, said Gary W. Sykes, director of the Southwestern Law Enforcement Institute. "One of the flags that goes up is whether or not it is diverting police resources to a private sector need that distorts what the police ought to be doing," he told Law Enforcement News.

"Another is whether or not we are going to go to a policing-for-fee basis — and that's what it sounds like. If a neighborhood came and said, 'Listen, we'll pay to have officers come in and give us extra protection,' would that also raise some issues in the minds of some people? A basic ethic of law enforcement has been services available to all, a kind of equality of services provided, I think that is another flag that would be raised."

In the Hewlett-Packard case, police could not have afforded to investigate leads far from home without corporate support, said Sacramento County Sheriff's Lieut. Jan Hoganson, who heads the cyber-unit. The software theft case involved links extending from Central Valley to Southern California, Central America and the Pacific Northwest, said investigators.

But Bill Conley, president of US Computer Corp. in Redmond, Wash., one of those arrested by the squad in connection with the case, contends that it was Hewlett-Packard, not law enforcement, which led the investigation. Charges against the 41-year-old Conley of possessing stolen Hewlett-Packard goods were later dropped.

Although police, prosecutors and Hewlett-Packard officials dismissed Conley's assertion and point to other types of white-collar crimes — such as insurance fraud — which routinely rely on the private sector for assistance in enforcement, the California Supreme Court upheld the disqualification of a Santa Cruz district attorney in a 1996 trade-secrets case because his office had accepted more than \$13,000 from a software company.

There is also the threat that corporate sponsors will pull the plug, leaving police departments with very little in the way of computer crime units.

"The police don't want to hear this, but if we lose the Intel grant, we'll default on the high-tech crime unit," David Lawrence, Hillsboro's assistant city manager, told The Times. "We'll have to go back to what we had before, which wasn't much."

Using funding incentives and assistance to local police to fight cyber-crime has evolved from the long-standing practice of bringing to law enforcement and district attorneys evidence of wrongdoing collected by private investigators hired by the corporate sector. It is then up to law enforcement to assemble the case, using the investigators as experts to identify fraudulent products and explain the inner workings of pirated technology.

As few police departments have the money or technological know-how to outfit the type of equipment and travel costs necessary to investigate multimillion-dollar hardware and software piracy cases, an interdependence has emerged between law enforcement and corporations.

When it comes to protecting their products, police point to Microsoft as among the most aggressive of the high-tech firms. Employing a security force of more than 200 people, many of them former law enforcement officers, Microsoft tracks tips from consumers, sets up stings and documents the day-to-day activities of suspects. The collected evidence is then turned over to police who do their own investigation using the information compiled by Microsoft and make the arrests.

The Los Angeles County Sheriff's Department turned down \$200,000 the company offered in 1997 to purchase printing equipment from counterfeiting suspects, and to create an undercover print shop for officers.

Sgt. Det. Jess Bembry, who worked for the department's Asian Organized Crime Unit at the time, the agency's concern about public perception led to its refusal of financial support for the sting operation. "When defense attorneys start screaming, all anyone cares about is avoiding the perception of impropriety," he told The Times.

## Durham acts to guard cops' privacy

Concerned that vengeful criminals will be easily able to find police officers' addresses on the city's new Internet Web site, Durham, N.C., Police Chief Theresa Chambers has persuaded City Council members to develop a plan that would limit property searches by owner's name.

During the past two years, three officers have been threatened in their homes by people angry over having been arrested, argued Chambers before a Council work session in July. City Manager Lamont Ewell added that others could be hunted down on the Web, as well, including those being stalked, jurors and victims of domestic violence.

Said Council member Howard Clement: "If we in the city want our officers to live here and want to provide them a safe environment so they would want to live here, then it would certainly be counterproductive."

The city's Geographic Information Services Department initially allowed searches of property records to be made by owner's name, but that function was discontinued after Chambers complained. Property records can still be

obtained on the Web, but only with an address or parcel identification number. Name searches can be done at public-access terminals in GIS, the Public Works Department, the county Assessor's office and the downtown branch of the public library. Names searches are also available at the city's courthouse during business hours.

"As government, we have to be careful how we restrict information," said Durham County Manager David Thompson. "The big question is: 'Is it government's role to restrict information because we think some people might misuse the information?' he told The Raleigh News & Observer.

The issue is a double-edge sword, said Paola Benassi, a product operations manager for TRUST e, a nonprofit company in Cupertino, Calif., that helps businesses develop policies which protect the rights of consumers. While having information on the Internet is convenient for those who have legitimate reasons for obtaining it, there is always someone out there, Benassi told The News & Observer, who will want to use the information for evil.

"This may not be the ideal way for us to do business, but at least we're trying to do something about these crimes," said Sgt. Tom Robinson, who heads the Sacramento unit. "Without us, the criminals run rampant and impact everyone - the companies and the community," he told The Times.

Cyber-unit officers do not feel they are being compromised by the companies' financial support. Said Sacramento County Sheriff's Sgt. Michael Tsuchida: "I'll eat your dinner, sleep in your hotel and still arrest you if you're breaking the law."

Still, others in law enforcement are unconvinced, questioning the obligation that department's might feel toward their corporate benefactors.

"When companies are directly paying for travel, investigations or salaries, I think that's a very dangerous line that quickly crosses into a conflict of interest," former FBI agent Joe Chiaramonte told The Times. Chiaramonte is president of the San Jose chapter of the High Technology Crime Investigation Association, a trade group.

It does raise ethical concerns when private companies begin to pay for ser-

# Louisville eyes civilian review board

Despite promised veto by Louisville Mayor Dave Armstrong, the city's Board of Aldermen has gone ahead and scheduled a series of hearings to explore the possibility of creating an independent civilian review panel with subpoena and investigative powers to monitor complaints against police.

Three hearings spaced over a period of three months were ordered by the Board's affirmative-action committee in June. The announcement was hailed by community leaders who contend that it is time for the city to listen to citizen concerns in an official way.

"It will give people from all over

## The price of going it alone

### Police funding a factor in neighborhood's proposed secession

Residents of Louisville's predominantly African American West End community, concerned that they do not get the same service from local police as other parts of the city do, have proposed seceding and forming their own municipality with its own law enforcement agency — although funding questions may short-circuit the secession movement.

Police issues were the major concern that sparked the movement, according to one of its leaders, the Rev. Louis Coleman. The idea to form another city surfaced after a coroner's jury voted 4-2 that two white police officers were justified in shooting an unarmed black teen-ager whom they believed was endangering their lives. The two dissenting votes came from the jury's only minority members.

The Louisville Division of Police, however, contends that the West End gets at least as much if not more than its share of police services. The 2nd and 4th police districts, which the

West End encompasses, are the two busiest in the city, Officer Aaron Graham told Law Enforcement News. "They get ample police coverage," he said.

Yet the West End's crime rate is still the highest in Louisville, despite double-digit reductions over the past year. According to crime statistics compiled by the Police Division, the two districts account for the majority of violent crime committed in the city.

Out of 42 homicides in the city in 1998, 12 occurred in the 2nd district and 19 in the 4th. Nearly half the 1,266 robberies that took place that year were committed in those districts, as were more than half of the 1,071 aggravated assaults reported citywide.

"I think that maybe it is a misinterpretation that they are equating the violent crime with not having adequate police protection," said Graham. When the department implemented a community policing program in 1992, it began in the 2nd and 4th districts, he said. "We've had probably about a 21-per-

cent decrease over the last two years in violent crime alone — in those two districts in particular."

It remains to be seen whether there is enough of a tax base within the West End to support a police force. The Division of Police spends \$10.3 million a year on salaries and street patrol in the 2nd and 4th districts. That cost does not include the work done by special narcotics task forces, homicide and gang squads or other department-wide units. Just \$3.4 million is collected on property taxes in the West End, according to tax records.

Coleman, however, insists that a lack of resources for a police force is not a roadblock to secession. The city could contract with another law enforcement agency for services, as well as pay the bill with Federal and state minority grants.

"This is no knee-jerk action," he told The Louisville Courier-Journal. "It has been carefully looked at. It's just going to take some time."

that having a civilian review board is good policy. Such boards have been known for being lenient with bad officers, she told The Courier-Journal. Moreover, the Mayor wants the police chief to administer the department and decide on issues of discipline. The grand jury system, she said, provides all the checks needed.

As proof that the current system works, some have pointed to Armstrong's reopening of an investigation into how police handled the arrest of a man who later died in an unrelated struggle with correction officers. The city has a 12-member police advisory committee appointed by the Mayor that may review police-related matters if so directed by Armstrong or his administration. Its main task, however, is to evaluate the performance of the police chief.

An initial departmental review of the arrest of the suspect, Adrian Reynolds, cleared the five officers involved of using excessive force. Reynolds was arrested for beating his girlfriend on Jan. 1, 1998. Six days later he was killed in a fight with corrections officers — one of whom has been charged with murder.

While the review found that Reynolds had been drunk and fought with officers, it also revealed that the suspect had been hit in the head with a flashlight and had his nose broken by one of the officers.

The review's thoroughness was questioned, however, by the police advisory committee's report, which said the committee had "major reservations" about the original investigation. Soon

thereafter, Armstrong ordered the investigation.

There is deep division within the 12-member Board of Aldermen on the issue of a civilian panel, however. Said Alderwoman Denise Bentley, who heads the committee that will hold the hearings, it is not clear whether there will be the seven votes needed to form such a board, let alone the eight needed to override a mayoral veto. At least four aldermen have indicated that they would not vote for a civilian review board, although they might be open to alternatives such as increasing the authority of the police advisory committee.

"I would have to be convinced that the system we have now isn't working," Steve Magre, the Board's president, told The Courier-Journal. But he said he would go into the hearings with an open mind and said he could be persuaded to support the concept.

Bentley said that a civilian panel could also review such matters as officer pay and equipment needs. The hearings are being spread out over a three-month period, she said, so that the aldermen have time to "evaluate and truly investigate" such boards.

Alderman George Unseld, co-chairman of the affirmative action committee, said the hearings must be as inclusive as possible. "This is a very emotional issue," he told The Courier-Journal. With many people unsure of how they feel at this point about a civilian board, he said, "We are honor bound to go ahead [with the hearings]. Something has to happen. We need to do something."

## Evidence keeps piling up:

# BJS victim survey confirms crime drop

As if anyone in the law enforcement community needed more convincing, findings from the National Crime Victimization Survey released in July show the nation's crime rate has fallen to its lowest level since the Department of Justice began keeping track of the statistics in 1973.

There were few if any surprises to be found in the NCVS, with many of the statistics appearing to mirror those of the FBI's preliminary Uniform Crime Report released earlier this summer. Jack Levin, director of the Brudnick Center on Violence at Boston's Northeastern University, said the NCVS is further proof that the decrease in crime is not a "short-term blip" on the radar screen, but rather a long-term trend.

From 1997 to 1998, the NCVS found a 7-percent decline in the number of violent crimes committed, a decrease characterized by the Bureau of Justice Statistics as "marginally significant." The number of crimes fell from 34.7 million in 1997 to 31.3 million last year, with roughly 8.1 million Americans reported to be the victims of violent offenses. Since 1993, violent crime has dropped by 26 percent, with the victimization rate for people age 12 and over falling in the past six years from 50 per 1,000 to 37 per 1,000.

The decrease was driven primarily by a fall in the number of assaults. In 1997, there were 7.3 million victims of assaults, and 6.8 million in 1998 — the largest decrease in any category of violent crime. Rapes and sexual assaults,

however, increased during that period. Some 311,000 rapes or sexual assaults were committed in 1997 and 333,000 a year later. Rapes and attempted rapes rose from 194,000 in 1997 to 200,000 in 1998.

Property crimes declined by 12 percent from 1997 to 1998, and by 32 percent from 1993 levels.

The survey found decreases in the victimization rate a variety of demographic sub-groups from 1997 to 1998. Blacks were the victims of violent crimes at a rate of 49 per 1,000 in 1997, and 42 per 1,000 last year. For Hispanics, the rate fell from 43 to 33 victimizations per 1,000 in 1998. However, both groups were victimized at a higher rate than whites, who had a victimization rate last year of 36 per 1,000, down from 38 per 1,000 in 1997.

Males became violent-crime victims at a rate of 43 per 1,000 in 1998, as compared to 30 per 1,000 for females. Males were 30 percent more likely than females to become victims of overall violent crime and simple assault, and twice as likely to be victims of aggravated assault.

Those at greatest risk of becoming victims of violent crimes, according to the survey, are 16- to 19-year-olds, with a victimization rate last year of 91 per 1,000. The victimization rate is slightly lower — 82 per 1,000 — for those in the 12- to 15-year-old bracket.

The survey found that those in the lowest income bracket were most likely to become victims of violence or per-

sonal theft. Low-income households also reported the highest rates of rapes, sexual assaults and assaults.

"Wherever you have pockets of young people out of work, idle and with no stake in society and nothing to lose, you're going to find crime," Michael Rustigan, a criminology professor at San Francisco State University, told USA Today, "and certainly we know there are pockets of unemployment and pockets of hopelessness in America,

despite the booming economy."

More than half the victims of violent crime last year knew their attacker (54 percent), the survey found. In cases of rape or sexual assault, 74 percent were committed by a non-stranger, including 18 percent that were committed by a spouse, boyfriend or girlfriend, and 48 percent that were committed by friends or acquaintances.

A weapon was found to have been used in about a quarter of all violent-

crime victimizations last year. Offenders with firearms committed 21 percent of rapes, sexual assaults, robberies and aggravated assaults.

The survey also found that individuals who had never married had a victimization rate more than three times that of married persons, and 10 times that of widowed persons. Those who were divorced or separated had a higher rate of victimization than married individuals, the survey said.

## New jewelry for NYC domestic-violence offenders: electronic monitoring bracelets

Used for the last several years to monitor the whereabouts of defendants released on bail, electronic bracelets are now being put to use for the same purpose on the ankles of domestic-violence offenders in New York City.

Since May, five convicted domestic abusers have been wearing the bracelets and five more are expected to be fitted shortly for the devices, Mayor Rudolph Giuliani said in July at a City Hall news conference with Brooklyn District Attorney Charles J. Hynes and Probation Commissioner Raul Russi to introduce the new program.

Traditionally used to keep track of offenders under house arrest and those free on bail, electronic bracelets have also been used to monitor convicts released from prison. The city's initiative seeks to contain what has become

among the most frustrating problems in law enforcement.

"Sometimes, individuals were found with domestic violence orders [of protection] in their pocket, obviously after being attacked," Russi told The New York Times. "This allows us a tremendous tool for the probation officer and the police officer, a joint operation between the Police Department and ourselves, to go after this individual if he violates the order of protection."

The strategy, which is based on a similar program in Ulster County, N.Y., works by sending an alarm via a signal device attached to the telephone if the offender comes within 500 feet of a victim's home. The signal also immediately notifies the monitoring company, which in turn calls 911, dispatching both police and probation officers.

An offender can only be subject to monitoring by order of a judge as a condition of probation after a conviction or guilty plea. It is usually done at the request of the district attorney's office and with the agreement of the Probation Department.

The program coincides with Giuliani's announcement that the city would expand its public awareness campaign on domestic violence, with more advertisements appearing on subways and buses. There will also be a new literacy program introduced into some of the city's women's shelters.

The advantage of the bracelet over other devices meant to protect domestic abuse victims is that it triggers a response automatically, without the victim having to press a button on a pendant or use the telephone, said Hynes.

# Civilians more lenient in cop discipline

When civilians were first given the opportunity to serve on the Los Angeles Police Department's disciplinary review boards, there were initial fears that their judgment would come down more harshly on officers accused of misconduct, particularly in matters of racism and excessive force. Those concerns were apparently misplaced, according to a new study by the LAPD, which found that civilians are in fact more apt to be lenient to officers than are the police officials they serve with on the boards.

The study, which was released in June, found that in 25 cases where minority opinions were offered by civilians, all but one were more favorable to officers, said Cmdr. James S. McMurray, who has studied all the disciplinary hearings since 1995, the year civilians were first allowed to participate.

Having civilian representation on internal review boards was one of the key recommendations of the Christopher Commission reforms in 1991 following the beating of Rodney King. Voters approved an amendment to the City Charter in 1995 that changed the composition of the boards from three command officers to two command officers and a civilian.

"The way that was sold to the voters was this will corral those rowdy cops," McMurray told Law Enforcement News. "The civilian representation on the board of rights will cause harsher penalties on people who abuse their office and use excessive force and all these sorts of things. Well, the find-

ings after several years show exactly the opposite," he said.

Most of the verdicts have been unanimous. Out of 460 hearings from 1996 to 1998, there were only 35 cases in which minority opinions were offered. In 16 hearings, civilian members advocated lenient punishment. In 11 cases, civilians found officers guilty of fewer charges than did the sworn officers, said the study.

"In all cases, the civilian member opted to either find the person not guilty of the charge, or when it was the penalty phase, to reduce the penalty — every single time," said McMurray. "When one of the [sworn] board members would dissent, in virtually all cases it was to increase the penalty or find them guilty of something the other two didn't. The conventional wisdom went out the door."

McMurray is cautious about extrapolating anything from his findings, but what he does believe is that most people in a given profession are harder on their own people than outsiders would be. "That's the generalization I would make," he said. "Not that civilians are stupid, but with their lack of detailed knowledge about the profession, they're more inclined to take a superficial look at something and give more of the benefit of the doubt when we would say this is an area where we would want a stricter definition of our rules."

In a variety of cases, civilian board members argued for lesser penalties, including:

• Urging a one-day suspension for

an officer who made an obscene hand gesture to a citizen, instead of the three-day suspension advocated by the board's two sworn members.

• Recommending against firing a drunk, off-duty officer who cursed at a patron in a fast-food restaurant and drew his weapon after an argument.

• Recommending a 129-day suspension instead of termination for an officer who solicited four Dodgers tickets in exchange for not processing a traffic ticket. In that case, the civilian member's argument was unsuccessful.

• Concluding that firing an officer who exposed himself and masturbated in public was excessive punishment.

During a weekly meeting of the Board of Police Commissioners at which McMurray presented his study, he said there was concern about the propensity toward leniency on the part of some civilian board members.

While members of the Los Angeles Police Protective League had initially resisted the participation of civilians on disciplinary boards, union members are now in favor of having just one command officer and two citizens make up the tribunal. Said McMurray: "They'd like to throw all the sworn off the board and have nothing but civilians. They went vocal on that."

In the new City Charter adopted in

June, McMurray said the union had floated a proposal to remove the sworn members from the board, but were unsuccessful.

Dave Hepburn, president of the PPL, told The Los Angeles Times that under Chief Bernard C. Parks, command officers felt pressured to mete out harsh discipline so they do not appear to be soft on punishment — something civilians do not feel.

"This is evidence that civilians are more objective and fair and less likely to be under the influence of the chief of police," said Hepburn. "Having civilians on the boards has been an improvement."

## Ex-Federal prosecutor gets the call as the LAPD's new top watchdog

Nine months after the resignation of the Los Angeles' Police Commission's first inspector general under circumstances that revealed a bitter power struggle between her and top officials of the commission, the board has selected a replacement who will carry out oversight of the city's Police Department within a framework created by the passage of a new city charter.

A nationwide search ended with the appointment in June of Jeffrey C. Egash, a former Federal prosecutor in charge of the public corruption and government fraud section of the U.S. Attorney's office in Los Angeles. As a prosecutor with that office since 1987, Egash was involved in the convictions of Los Angeles County sheriff's deputies for the theft and sale of confiscated drugs. He is considered to have strong analytical and investigative skills, as well as being politically astute — a quality that some feel may be crucial for the sensitive post to

which he has been named.

Last November, Katherine Mader quit as Inspector General after less than three years because she said her authority had been undercut by the five-member Police Commission. At issue was an interpretation of the City Charter that called for the inspector general to report to the commission's executive director, Joseph A. Gunn, and not directly to the commissioners themselves. A former police commander, Gunn had repeatedly stated that the board would not support any charter amendment that would alter the reporting structure. The commission had also resisted — with the support of police executives — giving the inspector general the authority to initiate investigations without its approval. [See LEN, Feb. 14, 1999.]

But with the passage of a new charter, which was approved by a 60 percent margin on June 8, Egash will report directly to board members. The revision also clarifies the inspector general's authority to initiate audits, investigations and other oversight func-

tions for complaints against police. While the charter does give the inspector general the power to audit or initiate investigations within the LAPD, the board reserved the right to halt any inquiry by a majority vote.

The appointment of an inspector general is considered one of the key recommendations to come out of the Christopher Commission's landmark 1991 report. In concluding its study, the Christopher Commission wrote: "[T]he Police Commission staff [should] include an Inspector General who would be responsible for overseeing the receipt of citizen complaints, monitoring the progress of complaints through the Internal Affairs Division process, and auditing the IAD investigations."

The duties of the I-G's office have been expanded by charter referendum since its creation in 1995, and now include reviewing all officer-involved shootings, use of upper-body control holds, in-custody deaths and law enforcement-related injuries.

## With FBI's help, Detroit PD gets aggressive in unearthing corruption

A year-long investigation by the FBI into reports that a small group of Detroit police officers were shaking down or protecting drug dealers was spurred into high gear in July after Federal agents began interviewing all 170 officers in the city's 5th Precinct, one of a handful of station houses where major corruption cases have been uncovered in recent years.

U.S. Attorney Saul Green said the probe was initiated about a year ago to investigate allegations that a small group of officers — as few as six — may have been involved in such activities as burglarizing the homes of drug dealers, robbing them and collecting protection money from drug gangs.

Some officers have already been called in for a lineup, and others have been photographed in uniform.

"There is no doubt that this effort has taken a lot of our resources," Green told The Detroit Free Press.

Green said that the Bureau has been working with the complete cooperation of the department's internal affairs division, and that there has been no stonewalling by police officials. "There is a

willingness to work together," he said. "There has not been one ounce of reluctance."

That spirit of cooperation may be due to the new, aggressive attitude the Police Department has taken toward rooting out corruption. While complaints by drug dealers that police were involved in narcotics-related crimes were virtually ignored in the past, the department is now investigating any and all allegations, said a high-ranking official in the internal affairs division, who spoke with The Free Press on the condition of anonymity.

Over the past two years, more than 25 officers have been accused of corruption, with 15 of them charged with illegal drug activity. Last November, an officer from the 5th Precinct pleaded guilty to conspiracy to commit robbery. Two 8th Precinct officers were arraigned on Federal charges of conspiring to distribute cocaine. At the 6th Precinct, four officers were found guilty of what one prosecutor called an 18-month "reign of abuse," conspiring to steal money, drugs and guns from drug dealers and others while on duty.

"In the past, if you had a dope man, he's not going to say anything about it because he's dirty," said the internal affairs official. "Dope men used to make complaints against officers and they would be thrown out of the precinct. Now dope men are coming forward and saying, 'Yeah, I'm a dope man and I'm dirty but I still have constitutional rights.'

Observers point to several factors in the wave of corruption charges that seem to be targeting the new generation of recruits. Comdr. Marvin Winkler, chief of staff for Police Chief Benny Napoleon, said young officers lack the dedication to their jobs that an older generation had. "Things are different for kids now," he told The Free Press. "The Police Department is reflective of society. Unfortunately, what happens out there can happen in here."

Others note that some officers are not that far removed from the narcotics-infested neighborhoods they grew up in and now patrol. It is just too tempting, they say, when a rookie cop earning \$25,000 a year sees friends making far more money in the drug trade.

## Watch what you eat: NYPD tries to clear up drug-test loopholes

Many police officers have long known that a poppy-seed bagel can produce a false positive result for opiates on a urinalysis drug test, or that false positives for other illegal substances can be generated by certain herbal teas or over-the-counter medicines. Now, however, New York City's police union contends that Police Department officials are trying to turn cops into chemists, with the implementation of a new drug policy that bans the use of many commercial products that may contain illegal drugs or their derivatives.

Topping the list of goods that officers may not use or ingest are those containing hemp oil, the only substance specifically named in the policy. Though legal, hemp oil can still contain enough traces of the active ingredient in marijuana, THC, to cause people to fail drug tests.

According to the policy, while some products clearly indicate the presence of prohibited substances, others claim not to contain illegal drugs, derivatives or ingredients. Because such compounds may be present despite claims to the contrary, however, the policy cautions officers to carefully examine the list of ingredients of any product they use which might contain contraband.

"This is ridiculous," one veteran officer told The New York Times. "It [the policy] doesn't even say what we can or can't use. We have to check ourselves. It puts the onus on cops to read the ingredients of everything. And we're not chemists."

While the department defended the ban on hemp oil, officials said other products will be evaluated on a case-by-case basis. A number of common foods and products can cause false positive readings, including certain cough medicines that can make someone test positive for amphetamines.

Said Chief of Personnel Michael A. Markman, "When you take the drug test, we ask you what foods you have eaten, what prescription drugs you are taking, what over-the-counter medications you are taking." Officers are asked how many poppy seeds they have consumed, he said, because the department's lab technicians know how many seeds are needed to cause certain levels on the test results.

The new policy was created after public servants in a number of cases, including members of the military and police in New York and other parts of the country, were able to beat drug charges and termination from their jobs by claiming to have used products that produced false-positive readings. In one recent incident, a New York City police officer was reinstated after failing a drug test and successfully using the hemp oil defense.

The Patrolman's Benevolent Association has denounced the policy. In a statement to its members, the union wrote: "We are police officers. To expect police officers to read a list of ingredients on a bag of snack food, many of which are named in chemical terms, is to ask the impossible."

**Doyle:**

## Millennium chaos & law enforcement

By James H. Doyle

As we approach the new millennium, law enforcement may find itself facing new challenges unlike any it may have confronted before. It doesn't matter whether one believes that the new millennium begins in January 2000 or 2001. The bottom line is that we are faced with a unique phenomenon that occurs just once every 1,000 years. And whether one attributes this phenomenon to theology, soothsayers or merely the human awe of unique time change events is irrelevant. What is material is the possibility that it will either result in the outward manifestation of otherwise concealed and repressed emotions, or give opportunity for extremists to exploit the fear of change held dear by so many.

Over much of the world the event will come and go with little or no notice, other than to acknowledge that the Roman calendar has moved forward from its 20th to its 21st century. If we give credence to the concept of change after 2000 years from the birth of Christ, even the western Christian world has to acknowledge that we have missed the boat. The Roman calendar is universally accepted to be at least six years off. This means we passed the millennium five years ago with nary a whisper. However, to the extremist, whether a true believer or a political opportunist, this fact is irrelevant.

While there is some controversy over the extent of chaos that occurred when 999 A.D. became 1000, it is evident that some social dislocation did take place. There are historical references to merchants forgiving debts, abandoning their property and retreating to isolated places to await the Second Coming. More common folk drew together in either rapturous expectation or dismal dread to await what many of their religious leaders told them was a certainty: the resurrection and final judgment, wherein each would be delivered to either eternal bliss or eternal damnation.

I know we have a tendency to dismiss such

activity as the product of an age of ignorance and superstition when bizarre beliefs were the currency of the day. We pride ourselves that in the information age a sophisticated and educated urban elite would have the tools to prevent such behavior again. I'm not quite that confident.

The majority of the public may be quite well adjusted and look forward to the grand events at century's end, yet there is a potentially dangerous sub-element in society that either accepts the inevitability of imminent disaster or actively plans to engineer it. As I scan the popular periodicals or

example, an individual has the right to worship the gas pump at the convenience store if he so desires. There is no law against this, and the state has no right to interfere with this belief. It is only when the party sets up an altar on the property of the store, is asked to leave and refuses, that we become involved — and then only because a law, trespassing, has been violated. Even then, we are making no state-sanctioned judgment on his belief system, only on his actions.

This does not mean we cannot or should not study these movements. Knowledge is vital to

many minor but annoying problems caused by system failures.

While we in law enforcement can do nothing to influence the technical aspects of this problem, allowing them to be addressed by the experts, we must plan for potential social disruption. As an example of such planning, the Federal Reserve is reportedly printing 50 billion extra dollars in the event there is a run on banks just prior to the New Year by those afraid they will lose their savings. While it is vital to have plans in effect in the event of an actual massive system failure, just as important is the need for a plan to deal with possible false indicators of such a failure. It is often stated that fear of disaster can be as dangerous as the potential disaster itself.

By the law of averages there will be some normal system failures as the new year begins. These electrical failures, plane crashes and telecommunication breakdowns, however sporadic, may not be millennium-related but merely inconveniently timed proofs of the validity of chaos theory. Regardless, a portion of the population, already made tense by the constant stream of media doom and gloom, will see the worst and will spread the word like prophets of Armageddon. For this reason, any jurisdiction of any significant size or one that will sponsor any significant events must have both a crowd-control plan prepared and tested that will

**Continued on Page 10**

**While we in law enforcement can do nothing to influence the technical aspects of the Y2K problem, we must plan for potential social disruption.**

surf the TV channels, I am astonished by how many articles and programs are being devoted to the topics of the end-times or apocalypse. We have the predictions of Nostradamus, new Dead Sea Scrolls, faces on Mars, alien messengers, Native American mystics, Aztec and Mayan hieroglyphics, etc., etc., ad nauseam. All tell us the end is at hand and that generally it's going to be a pretty horrific experience.

I used to dismiss all of this out of hand, until about two years ago when I realized there was a link between many of these end-time messages and extremist religious and political movements. At that point I decided to look a little closer at how these beliefs might affect the law enforcement community and what actions we might take to mitigate this potential crisis.

First, we must remember that much of this belief and expression is protected by the First Amendment to the Constitution. It is not illegal to hold strange, even absurd beliefs and express them. Our concern with these movements must be limited to the point at which belief and advocacy are converted to unlawful action. For ex-

ample, protect both the individual and society. This is especially true for the law enforcement community, because we have the power of state-sponsored coercion at our disposal. Improperly or ignorantly used, it can deal a fatal blow to democratic ideals. When dealing with the unusual, we must deal from a basis of knowledge, not individual superstition or prejudice. Whenever an idea or belief, however absurd or unpleasant, is suppressed by the power of the state, that community of persons is one step closer to totalitarianism and the elimination of all beliefs except those sanctioned by those in command. One of our most sacred responsibilities is to protect the unpleasant, the unconscionable and the absurd.

That said, let's consider some of the potential issues of millennium chaos.

**Y2K Problems:** For several years, we have been told that there may be significant problems caused by computers that cannot properly read the year 2000. Predictions have ranged from the extremes of nuclear plant meltdowns, planes falling from the skies and a collapse of the world's financial markets to the more reasonable prospects of

## Letters

### Yet another study?

To the editor:

I read with interest your June 15 article about H.R. 1659 by Congressmen Jose Serrano and Henry Hyde, mandating a study on police practices and policies. I appreciate IACP president Ronald Neubauer's impatience with yet another study prompted by the continuing dissatisfaction of American people of color with the service provided by America's law enforcement agencies. But it is just another example of the fact that what the police are comfortable with is not necessarily what people are willing or should be expected to tolerate. I wish the two honorable gentlemen success with their initiative.

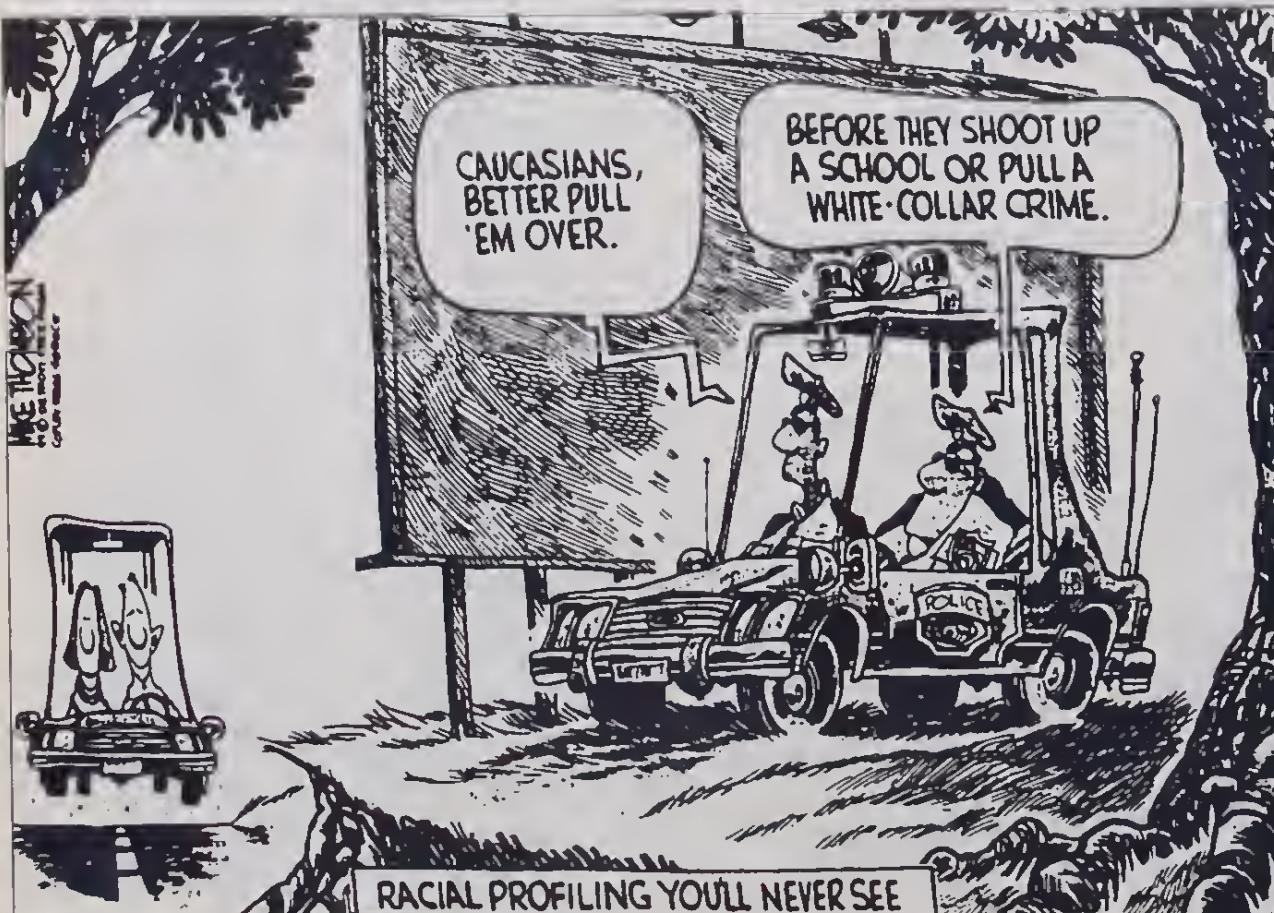
I particularly noted Chief Neubauer's "dim view" of the bill's requirement that the members of the commission it would create have credentials in civil and criminal litigation. They know nothing about recruitment and training, he sniffed. Ah, but when they sniff, they are adept at smelling trouble. Over the past 40 years, nothing has so powerfully acted to shape modern law enforcement management, including recruitment and training, as has litigation. It is the one way in which "the people" can effectively articulate their demand for change. And history shows that there has to be quite a bit of it before America's police executives will change the way they do things or see things the way the people do. That being the case, I'd say that H.R. 1659 is a notable improvement.

TERRY O'NEILL  
Attorney at Law  
Albany, N.Y.

### Note to Readers:

The opinions expressed on the Forum page are those of the contributing writer or cartoonist, or of the original source newspaper, and do not represent an official position of Law Enforcement News.

Readers are invited to voice their opinions on topical issues, in the form of letters or full-length commentaries. Please send all materials to the editor.



I'll show you mine if you show me yours:

# Maryland, NIJ move ahead with tech info sharing

Continued from Page 1

they're able to share that information with others."

What OJP hopes to do, he said, is build "synergy" into the relationship between Maryland's systems and the those of the National Institute of Justice's National Law Enforcement and Corrections Technology Centers, the public research and development arm of the agency.

David Boyd, director of the NIJ's Office of Science and Technology, said he expects the Maryland task force to become an important resource for that state. "My assumption is that the Maryland center would draw on the resources of the [technology centers]," he told Law Enforcement News.

Boyd drew a distinction between the kind of integrated information-technology data that will be the primary focus of the Maryland center, dealing mainly

with the integration and modernization of criminal justice information systems, and the broader-based technology that is the work of NIJ's technology centers.

The centers perform two functions, said Boyd. As NIJ develops technologies in such areas as less-than-lethal force, DNA and the forensic sciences, the technology centers help identify the needs and requirements in the field and funnel those back to NIJ. They then act to disseminate the new innovations back to the law enforcement community. The centers also play a role in the assessment of new technologies and strategies, said Boyd. While the NIJ carries out national assessments under a formal process, the centers function as a go-between, working directly with state and local law enforcement to modify these designs.

"The centers function as a dynamic,

ongoing, real-time assessment capability for us," said Boyd. "They are able to take what we're doing and continuously bounce it against the requirements of actual agencies in the field to make sure we're going in the right direction, we're working on the right kind of things, and we're focusing on the right issues."

Where Maryland has a capability,

the technology centers will not seek to duplicate that, he said. But there are 49 other states without that capacity, Boyd noted. The NIJ, he said, sees the centers' role as one of outreach for local agencies. As a contributor to a national integrated data base, such as that which OJP is planning, the centers would provide information and also be a link that helps share with the field what's available within that data base.

"If you're a small department in Wyoming, if the capability exists in the resource center or even in the Maryland center or one of the national labs, we have all the links to the people who could help," he said. "We bring those who have the requirement together with those people who can meet the requirement."

## In Oregon, agencies hope data-sharing can work wonders

While using a shared computer data base to measure results is nothing new to the private sector, it is still considered cutting edge when used in the criminal justice field. Multnomah County, Ore., is one of the localities that has decided to give the cutting edge a try by expanding an eight-month-old computer system that links four law enforcement agencies to include the state court system. Advocates of the plan hope not only to increase efficiency, but to be able to ascertain what sentences are most effective for different types of criminals and pinpoint emerging crime trends.

"We have a crowding problem in jails," Tom G. Simpson, information services manager for the Multnomah County District Attorney's office, told The New York Times. "Can we better manage the jail system by knowing better who is coming in the door? It can help us make better fiscal and release decisions."

Launched in January, the data

base includes the Multnomah County Police Department, the Sheriff's Department, the District Attorney's Office and the public defender. Forty employees have used it on a test basis, but the county expects to have 200 employees signed on within a year.

Circuit Court Judge Michael H. Marcus feels the system will provide judges with the information they need prior to sentencing. "Presently, we have a blank screen in terms of what works and what doesn't," he said. "Once we start using this, its usefulness will skyrocket."

Marcus said he would ultimately like to be able to use the data base to enter a defendant's demographic and criminal history to find out what sentences have been effective in the past for reducing recidivism by offenders with similar backgrounds.

Before setting up the system, the county looked to both the state of Colorado and to New York City, both of which have integrated systems that link computers to a variety of criminal justice entities.

Colorado's Integrated Criminal Justice Information System links some 10,000 computers in five state agencies, including police, corrections and the courts. At each stage in a case, data are entered into the system by the agency responsible for the offender at that time. Throughout the process, police, prosecutors and others can access the system to find out the steps that preceded their involvement. Said Bob Roper, director of information services for the Colorado courts: "We want to put this on the desktop so decision makers, policy makers and judges can access it and make decisions more easily."

In New York, the Brooklyn Treatment Court handles nonviolent felony offenders and uses a data base to give judges information about a defendant's criminal status and history. An icon indicates whether a defendant has tested positive for drugs, with laboratory results submitted directly into the computer system.

## Police build bridges, starting with traffic stops

Continued from Page 1

to deal with car stops, said Chamberlin. The program can be used as a training tool and to spur discussion groups among law enforcement, schools and clubs.

"Building Bridges" was rolled out in May at Buffalo State College, and since then, the local U.S. Attorney's office has applied for funding for the program. Chamberlin said that the program does not touch upon racial profiling or "driving while black," because those issues did not come up during the focus group sessions. It took four years, he said, to get the 22 police departments involved in the program to agree on how to do car stops.

In the midst of the discussions, said Chamberlin, it occurred to the group that they had never told people what police would like them to do during a car stop. Civilians do not understand how dangerous police officers consider the traffic stop to be. Everybody, he

said, is on "condition yellow" when they are stopped — motorists are uncomfortable and police are at a fairly high stage of alert.

While coalition members agree that the first words a police officer speaks during a car stop are crucial, there has been no consensus yet on what they should be. What they should not be, however, are derogatory comments to minority drivers such as, "What are you doing in this area?" Said Chamberlin: "That's obviously offensive. Sometimes it's not intentional and is just ignorance."

### WHAT TO DO WHEN STOPPED BY THE POLICE



Erie County  
Chiefs of Police  
Association

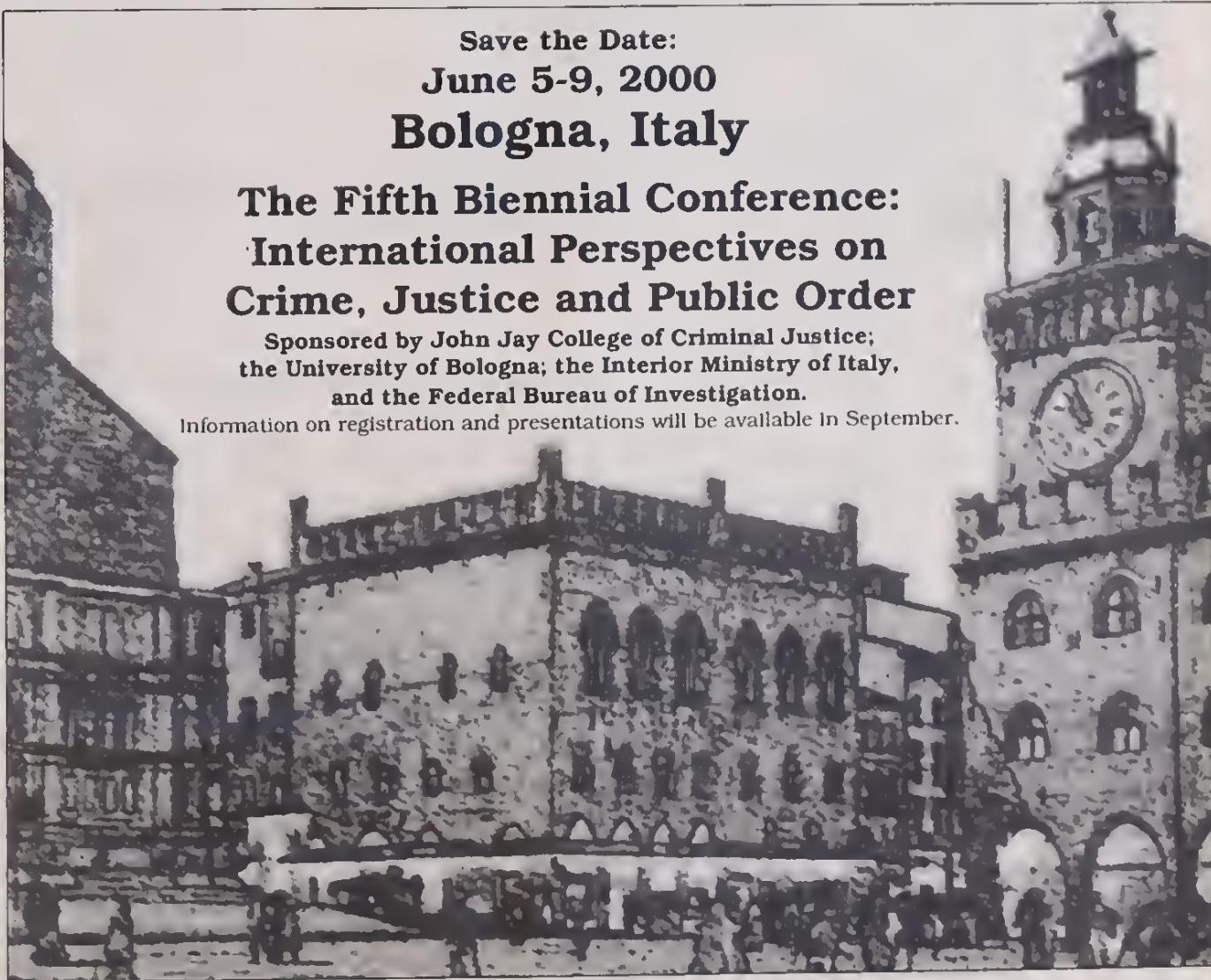
Handy handout from police for Erie County, N.Y., residents.

Save the Date:  
**June 5-9, 2000**  
**Bologna, Italy**

**The Fifth Biennial Conference:  
International Perspectives on  
Crime, Justice and Public Order**

Sponsored by John Jay College of Criminal Justice;  
the University of Bologna; the Interior Ministry of Italy,  
and the Federal Bureau of Investigation.

Information on registration and presentations will be available in September.



# The price of failing to plan for Y2K chaos

Continued from Page 8

provide for the deployment of personnel to protect critical assets, and a rumor-control plan and staff that will be available, on duty, to field incoming inquiries from the public and give factual answers. This may involve the activation of, and coordination with, local emergency operations centers. Understand that the police will be the first ones called, and understand further that you will not be able to rely on swamped telephone operators and dispatchers to field the onslaught of questions or dispel the very real fears many people will have.

**Doomsday Cults:** There are three types of groups we should be on the lookout for. The first are those groups whose leaders and possibly members see themselves as the messengers of God, whose duty it is to help bring about the purification of the world. This generally means the elimination or subjugation of any but their own so that a "brave new world" can be founded based on their beliefs and under their control. These can range from drugged-up dropouts of a modern Manson-like clan attempting to instigate an updated version of "helter skelter," to the sophistication and long reach of a group

such as Aum Shinri Kyo, which had adherents not only in its home base of Japan but throughout the world, including the United States and Russia. Especially disturbing is the fact that the latter group consisted of members who were both highly intelligent and professional. This included scientists, military personnel, police, financial experts and politically well connected individuals, who were able to come together to finance, create and test weapons of mass destruction on an innocent and unsuspecting population. Try to imagine American law enforcement having to deal with the fatalist and unquestioningly obedient mindset of those who released sarin gas in the Tokyo subway system. Could we be effective and maintain an acceptable level of loss in both our personnel and the population at large?

The second group are self-styled survivalists who may convince themselves they need to retreat into self-protected enclaves to ward off what they perceive as certain destruction. Contrary to what we might like to believe, these enclaves may not be restricted to rural communities deep in the Northwest, but may be as small as a city block or a single rural home housing several

Beyond terrorists and doomsday cults, con artists and opportunists may be waiting to prey on the fearful and the vulnerable.

like-minded individuals. While groups like the Republic of Texas or the Montana Freemen jump to mind, we may face far less sophisticated and more dangerous groups or individuals on the local level. In the organized examples I cited, there was a leadership, however erratic, that acted to minimize its own exposure to harm and led eventually to peaceful surrender. Consider instead a small group of stressed-out, conspiracy-minded zealots who have established a "safe zone" within your city or suburb.

ban subdivision, well armed and afraid the government is coming to take them or their weapons away or even kill them. Officers responding to what normally would be routine investigative calls could become easy — and, in these people's minds, justifiable — targets in what they see as a war of survival.

Then there are self-destructive cults like the group Heaven's Gate. While these individuals seldom strike out at others and are content with their own "passage," their actions are highly traumatic to the communities in which they exist. Mass suicides forever scar the psyches of those called on to deal with the aftermath, whether emergency workers, family, friends or community members. Good intelligence efforts must be made to identify these groups if they exist in your area, and appropriate intervention should be attempted.

**Criminal groups** may also appear on the scene, ready to victimize those vulnerable members of society who are already fearful. Their tactics may range from artful frauds that promise redemption to savagely brute messages that tell the listener to pay up for protection. A major problem in dealing with this type of crime is identifying its existence. Many victims may be too fearful or embarrassed to contact the police or to cooperate if located. Fraud investigators need to be on the lookout for the appearance of scams, especially those targeting the elderly or other vulnerable populations.

There may also be a spate of property and personal crimes committed by those who feel the end is at hand and they have the need to live the "good life" at least temporarily, or to settle old scores with antagonists. Corporate executives and others in senior management positions need to take precautions as disgruntled current or former employees, suffering from psychological stress, may feel they have nothing to lose and workplace violence may become more of a norm than an exception. The most dangerous potential criminal is the normally stable man or woman who, faced with unreconciled stress or convinced of predestination, considers an act of violence that would have been unthinkable a few months before but is now seen as not only justified but urgent. The external threat can

be observed and controlled, but the internal threat is often unseen until tragedy strikes.

**Terrorist groups.** Terrorists may find the turn of the century important, even irresistible, for two reasons. First, there will be many lucrative targets throughout the world. Coordinated strikes could cause mayhem in large cities and small towns alike. The message would be clear — a declaration of war in the new age with all traditional boundaries of safety removed. Targets could vary from Times Square to Luxor, Egypt, to any small town U.S.A. While we might expect New York, Washington, London or other major cities to be targets, and in the past the public has more or less accepted their vulnerability, consider the fear that could emerge if non-traditional targets such as Provo, Utah, or Santa Fe, N.M., or Charleston, S.C., were suddenly the target of attack. "No safe haven; you can't be protected anywhere" would be the resounding message.

Secondly, the date itself may be of significance. Terrorists love tying their actions to past events: the anniversary of the birth of a movement, the death of a leader or other significant event. The Oklahoma City bombing, for example, is said to have had a commemorative relationship with Waco and Ruby Ridge. Think of the significance of a date that occurs only once every thousand years! The temptation may be too great for some groups to ignore. Again, good intelligence and security planning will be the key to avoiding chaos.

I understand that many who read this analysis may say it is obviously the work of an eternal pessimist or one who is far too conspiracy-minded, and that the famous day of reckoning, 01-01-00, will come and go in a flurry of good will and glad tidings as we all look forward to a bright future. I agree that a pleasant and positive outcome is most likely, whether as a result of diligent planning or happy coincidence. At the same time, however, the failure to plan for a worst-case scenario would be tantamount to official negligence. One good thing about being a pessimist is that if you're wrong you can always rejoice in that fact, but if you're right you will at least be somewhat prepared.

## Little tolerance for juvenile deviance

with cynicism with law."

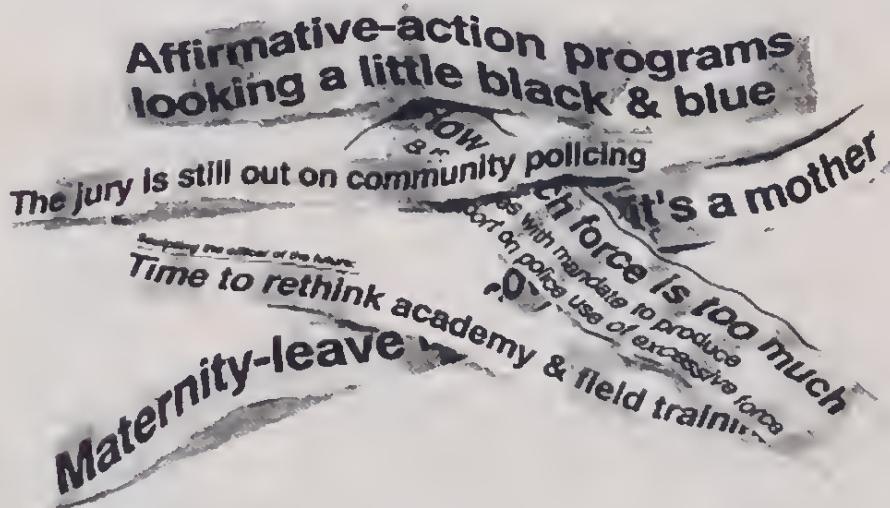
Although a higher percentage of minorities were less amenable to deviations from social norms than whites, whites, according to the study, were more apt to believe in the legitimacy of the law. Residents were asked whether they agreed with the statements: "Laws are made to be broken," or "To make money, there are no right and wrong ways anymore, only easy ways and hard ways." To those questions, 29 percent of blacks and 31 percent of Latinos responded that did not believe legal norms were binding, compared with 19 percent of whites.

"I think when you look at black communities and Latino communities, those communities are not accepting of street culture — not that street culture isn't present, but the community itself is not accepting of it," said NIU Director Jeremy Travis.

The data, Travis told LEN, support a framework for community policing that is both tough on crime, but even tougher on police departments with regard to building stronger relationships within the community. Law enforcement, he said, could use the constructive forces already present in the community to help develop strong local support for the legitimacy and need for police activities.

In the context of community policing, said Travis, there is a second bottom line after reducing crime — community support. It is a great asset for law enforcement to recognize that there will be strong support in disadvantaged communities, not necessarily because residents like police tactics, but because there is strong support for social norms. "[It is] something for a police department to work with," he said.

## Headlines are not enough



To do a tough job in changing times, you need timely, comprehensive, straightforward information. For the latest trends and ideas, turn to **Law Enforcement News**. Twenty-two times a year, we'll put you in touch with the thinking of those who are shaping law enforcement policy and practice.

**YES!** I'm ready for the professional advantage of **Law Enforcement News**. Enter my one-year subscription and bill me just \$22.00. (Return the coupon to LEN, 555 W. 57th Street, New York, NY 10019.)

Name/Title \_\_\_\_\_

Agency \_\_\_\_\_

Mailing Address \_\_\_\_\_

City/State/ZIP \_\_\_\_\_

**Law Enforcement News**

(91599)

A publication of John Jay College of Criminal Justice/CUNY

# Upcoming Events

## OCTOBER

- 4. Managing Marginal Employees.** Presented by the New England Institute of Law Enforcement Management. Bath, Me.
- 4-5. Rapid Deployment to High-Risk Incidents.** Presented by the International Association of Chiefs of Police. Washington, D.C., N.J.
- 4-5. Civil Remedies for Nuisance Abatement.** Presented by the International Association of Chiefs of Police. Kent, Wash.
- 4-6. Criminal Investigative Techniques I.** Presented by the International Association of Chiefs of Police. Hudson, N.H.
- 4-6. Street Survival 99.** Presented by Calibre Press. Cincinnati. \$199.
- 4-8. Implementing & Managing Community Policing.** Presented by the Institute of Police Technology & Management Jacksonville, Fla. \$525
- 4-8. Crime Scene Technicians Seminar.** Presented by the Institute of Police Technology & Management Jacksonville, Fla. \$525
- 4-8. Investigative Photography 2.** Presented by the Northwestern University Traffic Institute. Portland, Ore. \$700
- 4-8. Supervision & Management of Drug Investigations.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$550
- 4-8. Police Executive Development: The Pursuit of Quality.** Presented by the Southwestern Law Enforcement Institute. New Braintree, Mass. \$495.
- 4-15. All-Scene Traffic Accident/Homicide Investigation.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$695
- 5-6. Mental Preparation for Armed Encounters.** Presented by the International

Association of Chiefs of Police. Calgary, Alberta.

**5-6. Critical Incident Management.** Presented by the New England Institute of Law Enforcement Management. Glastonbury, Conn.

**6-7. Interview & Interrogation Methods.** Presented by Hutchinson Law Enforcement Training, LLC. Peabody, Mass.

**6-8. Crisis Negotiations.** Presented by the International Association of Chiefs of Police. Chester, N.Y.

**7-8. Breakthrough Strategies to Teach & Counsel Troubled Youth.** Presented by Youth Change. Portland, Ore. \$149.

**11-13. High-Risk Incident Management.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$475

**11-15. Vehicle Dynamics.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$650

**11-15. Practical Hostage Negotiations.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$525

**11-15. Police Internal Affairs.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$525

**11-15. Pedestrian/Bicycle Accident Investigation.** Presented by the Institute of Police Technology & Management. Tempe, Ariz. \$525

**12. Effective Performance Appraisals.** Presented by the New England Institute of Law Enforcement Management. Wellesley, Mass.

**12-14. Street Survival 99.** Presented by Calibre Press. Green Bay, Wis. \$199

**12-15. Managing the Field Training Process.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$550

**13-15. Multi-Agency Incident Management for Law Enforcement & Fire Service.** Presented by the International Association of Chiefs of Police. Santa Ana, Calif.

**14. Strategic Planning.** Presented by the New England Institute of Law Enforcement Management. Wellesley, Mass.

**14-15. Policing in the Information Age.** Presented by the International Association of Chiefs of Police. St. Louis

**14-15. Breakthrough Strategies to Teach & Counsel Troubled Youth.** Presented by Youth Change. Memphis, Tenn. \$149.

**17-23. Providing Executive Protection.** Presented by the Executive Protection Institute. Winchester, Va. \$2,900

**18-19. Combating Workplace Violence.** Presented by the International Association of Chiefs of Police. Toledo, Ohio

**18-20. Surveillance & Undercover Officer Techniques.** Presented by the International Association of Chiefs of Police. Seattle

**18-20. Advanced Internal Affairs: Proactive Steps for Corruption Prevention.** Presented by the International Association of Chiefs of Police. St. Charles, Mo.

**18-20. Advanced Supervision Skills.** Presented by the International Association of Chiefs of Police. Virginia Beach, Va.

**18-21. Comprehensive Staff Inspections.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$495

**18-22. 30th Annual Florida Crime Prevention Association Training Conference.** Cocoa Beach, Fla. \$275

**18-22. Managing Criminal Investigators & Investigations.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$525

**18-22. Advanced Computerized Collision Diagramming.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$795.

**18-22. Successful Grantsmanship.** Presented by the Northwestern University Traffic Institute. Evanston, Ill. \$575

**18-29. Advanced Traffic Accident Investigation.** Presented by the Institute of Police Technology & Management. Jacksonville, Fla. \$525

**Ice Technology & Management.** Jacksonville, Fla. \$695.

**18-Nov. 5. Command Training Program.** Presented by the New England Institute of Law Enforcement Management. Wellesley, Mass.

**20-21. Interview & Interrogation Methods.** Presented by Hutchinson Law Enforcement Training, LLC. Cheshire, Conn.

## For further information:

Addresses & phone/fax numbers for organizations listed in calendar of events.

(004) 646-2722

**International Association of Chiefs of Police.** P.O. Box 90976, Washington, DC 20090-0976. 1-800-THE-IACP. Fax: (703) 836-4541. Web: <http://www.theiacp.org>

**New England Institute of Law Enforcement Management.** P.O. Box 57150, Babson Park, MA 02157-0550. (617) 237-4724. Web: <http://www.tink.net/~users/gchurke/neilem.html>

**Northwestern University Traffic Institute.** 555 Clark St., P.O. Box 1409, Evanston, IL 60204. (800) 323-4011. Web: <http://www.nwti.edu/traffic>

**Southwestern Law Enforcement Institute.** P.O. Box 830707, Richardson, TX 75083-0707. (972) 664-3471. Fax: (972) 699-7172. Web: <http://web2.airmail.net/slf/slei.html>

**Youth Change.** 275 N. 3rd St., Woodburn, OR 97071. 1-800-545-5736. Web: <http://www.youthchg.com>



**OCT. 5 & 6, 1999**  
**Hynes Convention Center,**  
**Boston, MA**

Featuring Limited Escorted Tours of

- New Boston PD Headquarters' Hi-tech Forensic Labs (In House DNA & Ballistics)
- New State-Of-The-Art Suffolk County House of Corrections

### ★ EXPO FREE TO ATTENDEES ★ Lots of great GIVEAWAYS & FREE DRAWINGS

### ★ EXCITING EXHIBITS - OVER 100,000 SQ. FT.

- Law Enforcement Equipment & Technologies
- Never Seen Before Vehicles
- The Best Surveillance, Electronics & Armor
- Hands-on Demonstrations
- AND MUCH MORE!

**NOT TO EXHIBIT  
or ATTEND WOULD  
BE CRIMINAL!**

Platinum Sponsor

**LETN**  
Law Enforcement Training Network

**COPNET**  
THE POLICE RADIO NETWORK

Gold Sponsor: New York  
**LAW ENFORCEMENT**  
Product News

Silver Sponsor

**Schlumberger**  
Global TeleLink



**DEC. 8 & 9, 1999**  
**Jacob Javits Convention Center,**  
**New York City**

Featuring Limited Escorted Tours Of  
Rikers Island The Largest  
Correctional Complex in the Nation

### ★ EXTRAORDINARY EDUCATIONAL SESSIONS BY EXTRAORDINARY PRESENTERS

Including Atty Gen Elliot Spitzer, Alan Dershowitz, Scott Harshbarger, Barry Scheck, James Fox, Chief Ed Flynn, Rikki Klieman, Larry Glick, Weldon Kennedy, Chief Al Olsen, Lorri Allen, Keith Strandberg, Edward Badolato, Jack McDevitt, D.A. Ralph Martin, Bill Johnston, Jack Levin et al

### FOR RESERVATIONS AND EXHIBITOR INFORMATION CALL OR FAX:

RDP GROUP, 30 Tower Lane, Avon, CT 06001  
800-243-9774 • Fax: 860-677-6869 • E-mail: rdpsteven@aol.com • www.rdpgroup.com

Name \_\_\_\_\_ Company \_\_\_\_\_

Address \_\_\_\_\_

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Phone \_\_\_\_\_ Fax \_\_\_\_\_

E-Mail \_\_\_\_\_

Exhibitor  Attendee (check one)

# Law Enforcement News

Vol. XXV, No. 517 A publication of John Jay College of Criminal Justice/CUNY September 15, 1999

## Building a bridge to the community, one traffic stop at a time.

Lessons learned by some upstate New York police departments. **Page 1.**

## The race card:

Dispelling a stereotype about minorities' tolerance for juvenile misconduct. **Page 1.**

## RU ready for Y2K?

A police lieutenant offers some thoughts for law enforcement on millennium chaos. **Forum, Page 8.**

John Jay College of Criminal Justice/CUNY  
Law Enforcement News  
555 West 57th Street  
New York, NY 10019

NON-PROFIT ORG.  
U.S. POSTAGE  
PAID  
New York, N.Y.  
Permit No. 1302

### What They Are Saying:

"African Americans are less tolerant of violence, yet they also live in environments that are characterized on average by higher crime rates and more poverty."

— Dr. Robert J. Sampson, professor of sociology at the University of Chicago, and co-author of a study that found socioeconomic factors, not race and ethnicity, are key contributors to a community's subculture of violence. (Story, Page 1.)